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THE FIFTY-NINTH CONGRESS

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It is easy to overestimate the historical importance of our contemporary politics, although it is far from being the worst fault that we should treat them too seriously. Questions that are discussed with a vast deal—I will not say of passion, for there is little genuine passion in our current politics—but with a vast deal of noise, are somehow quickly displaced by other questions no more important nor more closely related to the real life of the nation, and permanently disappear. We have witnessed in the last decade the sudden rise of statesmen, almost purely the creatures of executive favor, who have in a moment blazed from the horizon to the zenith, whose greatness has been established by executive proclamations and solemnly ratified by university degrees conferred with academic eloquence, and we are already asking ourselves what they really said or did that history will trouble itself to recall. Its verdicts we may be sure will not be greatly influenced by the extravagance of contemporary censure or contemporary praise. Whether or not a President really said not long ago, as reported, "In Mr. — I have a great Secretary of State, in Mr. — a great Attorney-General"—and so on throughout nearly the whole Cabinet list—and then, "in Mr. — I have the greatest war minister that has appeared on either side of the ocean in our time," there are plenty of contemporary utterances to prove amply that now, not in the troubled times that try men's souls, but in the fat era of a gross material prosperity, the real golden age of statesmen has at last dawned.

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All this leads to caution in expressing emphatic opinions concerning contemporary politics, although the extreme of censure is more often met with than that of praise in dealing with Congress, except when it suits the whim of the moment to treat that department of the government as the mere organ of the executive. It is somewhat the fashion to rank the present Congress, in the importance of its work, with the congresses immediately following the Civil War. I think this opinion may safely be treated as an exaggerated one; and that it has done nothing that can equal in constitutional importance the first act for the government of Porto Rico, or, in point of industrial importance, the Wilson or the Dingley Tariff Act, or that can approach in the logical response to a critical condition of the country the repeal of the silver-purchasing clause of the Sherman Act. And if one ventured farther back he would find other legislation of equal importance this side of the period of Reconstruction.

But the record of the first session of the Fifty-ninth Congress is very notable both for what was done and what was not done, although the balance is strongly in favor of actual achievement. It failed to pass the bill granting free trade to the Philippine Islands, and the tariff escaped that judicious revision which it has so often been proclaimed to be the peculiar prerogative of its friends to bestow; but it passed the bills for untaxed industrial alcohol, for meat inspection, for pure food, for the admission of the territories, and for a form of government railroad rate-making. It also displayed a remark-

able capacity for spending money, and granted a total of appropriations of almost fantastic proportions.

The membership of the two houses in point of character and ability will compare not unfavorably with the best congresses that have ever been sent to Washington. Although they lacked the very few overshadowing figures associated with the congresses of past times, they contained men of rare talent, while their average membership was of a character scarcely to encourage those who delight in disparaging their own time in comparison with the past, or with the future their imaginations paint.

It would not be difficult to name a score of senators who in debate or in some other important feature of the work of a senator will be likely to be remembered at least by the next generation. "There does not seem to be a quorum in the divine presence," Mr. Reed once sarcastically observed, as he entered the Senate Chamber when a senator was delivering an elaborate and carefully prepared speech to a small number of sleepy colleagues. But Mr. Reed, who signalized his speakership by his daring way of counting a quorum, and who always went to the heart of the subject himself, rarely making a speech in the House over fifteen minutes long, did not regard with favor the average set speech. The set speech of a senator is usually one of portentous length. Senatorial dignity seems to demand the quality of length as a tribute to the importance of the rule for unlimited debate. Many long speeches were spoken in the Senate during the late session, some of them unnecessarily long doubtless, and devoted to the elaboration of points that were not always of the first magnitude, but on the whole the debates in that body, especially that upon the railroad rate bill, displayed a very high order of ability. Some of the strongest men in the Senate had previously been members of the House, where they had passed unrecognized by the public at anything like their real

value. Men who had served in the House with Mr. Bailey, for instance, knew that he was a man of rare talent; but the newspapers, which generally employed themselves in ridiculing him at that period of his career, made the discovery after he became a member of the Senate that he was a debater of commanding ability.

The House did not lack in able men. It chose as Speaker the most picturesque character in current American politics, a very efficient presiding officer, but seen at his best in debate upon the floor of the House. The floor leaders of the majority were Payne, the chairman of Ways and Means, and Dalzell and Grosvenor of the Committee on Rules; and when to these are added Hepburn, Hitt, Williams, Littlefield, Burton, Clark, Cochran, Russell, and others whom space forbids to name and whom not to name seems invidious, there is presented a variety of talent that would add strength to any legislative chamber in the world. Ninety men, the number of the membership of the Senate, might be chosen from the House, and in aggregate of ability they would equal the present Senate.

The bill for free trade with the Philippine Islands passed the House, but failed in the Senate. It was supported by the Democrats generally and by a majority of the Republicans, but it encountered the opposition of a formidable contingent of Republican members who came chiefly from the agricultural states, and feared that the unrestricted competition of Philippine sugars would have an adverse effect upon our beet sugar industry. As an economic measure simply, little could be said in its favor save from the standpoint of absolute free trade, for no people in the world differ from us more widely in their social system, standard of wages and of living, and in industrial conditions generally. From considerations of commerce and industry alone, there is scarcely a country in the world with which we should not more quickly have free trade than with the Philippine Islands. And

as to their importance to us as customers, the grandiloquent prophecies so freely indulged in, in 1898 and 1899, about the markets for our products that we were about to conquer, become for the first time impressive, when we read them today in the light of that magnificent total of \$6,000,000 of exports, which we have at last been able to attain after eight years of benevolent assimilation, to say nothing of reconcentration and war. But from the standpoint of justice the measure was irresistible. Having forcibly taken from them and arrogated to ourselves the power of deciding what taxes those people should pay, having levied in all their ports our own high duties against other nations, and especially against those nations with which they would naturally trade, it would not merely be unjust, it would be inhuman, for us to deny them the benefits of the system of which we had imposed upon them all the burdens. They should have nothing less than free trade with this country until we shall again remember our own history and reestablish the principles upon which our government was founded. When that time shall come, the people of those islands will decide for themselves what taxes they shall pay.

The most important measure of the session from an industrial standpoint was the "denatured" alcohol bill, so called, as if the prime object of nature in making alcohol was to provide a beverage. The bill removed the entire tax from alcohol which had been rendered undrinkable, so that this important agent in the arts might be used with comparative freedom. The tax remains as it was before upon alcohol which might be used for drink. Free alcohol in the arts was a feature of the tariff act of 1894, but Mr. Carlisle, then Secretary of the Treasury, found difficulty in preparing regulations which would clearly separate alcohol used in the arts from that used as a beverage, and prevent frauds upon the treasury; and the provision, although the law of the land, was never put in force. But some foreign countries have successfully

employed the device of mingling with the alcohol substances that would render it poisonous or revolting to the human stomach, and have thus baffled the ingenuity of those who would sell it for drink. The legislation of the last session was based upon the experience of those countries, and it cannot fail to have a most important effect. Free alcohol in the arts lies almost at the basis of industrial Germany, which employs it to the extent of 75,000,000 gallons a year. Our own tax of \$2.18 on each gallon was practically prohibitive, and in those important manufactures which depended upon its use we were at the mercy of our rivals. The possibilities of the employment of alcohol in producing light, heat, and power are also enormous, as gallon for gallon it has a far greater potency than the best grade of refined petroleum, and need not much, if at all, exceed it in price. The only opposition to the bill came from the wood alcohol interests, but as the use of that article even in the arts is attended with danger to life and health, no reason appeared for taxing for its benefit a more efficient and safer rival product, and the bill passed by a nearly unanimous vote.

The pure food bill was designed to prevent the transportation across state lines of adulterated, deleterious, and misbranded foods, and the chief instrumentality created to accomplish this purpose was a system of federal inspection supported by penalties of varying degrees of severity. The bill was based upon an enlarged, and possibly an unjustifiable, construction of the commerce clause of the Constitution, just as the taxing power has been amplified and often employed, not to provide revenue, but for purposes essentially foreign to it, and to regulate, suppress, and promote business and industry. The passage of the bill was largely due to Mr. Hepburn, chairman of the Committee on Inter-State and Foreign Commerce, under whose leadership it had, in a modified form, passed the House of Representatives in a previous

congress. The most valuable portion of the legislation is that aimed at the traffic in patent medicines, containing deadly poisons covered by false and attractive labels,—a form of industry which all the resources of federal and state law might well be employed to suppress.

Of the same general character as the pure food law was the meat inspection amendment to the Agricultural Appropriation Bill. The methods of preparing animal food even in the best regulated home kitchens would not always seem appetizing, if reported with a too close attention to detail, lit up by a sufficient play of fancy. But the colossal slaughter houses of Chicago, however well conducted, would inevitably afford a field for the higher imagination, which, if properly exercised, would turn the stomach of an Esquimaux. But it is sufficient to say with regard to this amendment that it was not at all necessary to nauseate a nation, and strike down for the time an important foreign trade, in order to obtain an enactment which the great packers themselves may well have been eager to secure. For, in addition to the benefit of the certificate of purity, placed upon their product at the expense of the Government, the law will tend to drive out of the interstate and foreign trade some of those establishments which are too small to occupy an inspector, and will thus still further centralize the industry.

The legislation to which I have just been referring illustrates very well the striking principle dominating the work of the entire session. Congress was apparently animated by a profound faith in the infallibility of federal supervision. That the federal inspector was made of the same stuff as the state inspector, that some of the most sweeping financial swindles of the age, some of the most appalling disasters upon the ocean, occurred under a system of direct federal supervision, were facts that either were lost sight of entirely or were not regarded of the first consequence. And it is probably

correct to say that Congress was responsive to the popular opinion of the moment. It is a most attractive way of dealing with an evil, not for one to fight it himself and face the disgusting details, nor for the community which is immediately affected to combat it, but to call upon the great central deity at Washington. What more powerful fulmination can there be against crime than a federal statute? Against this magnificent device the old-fashioned notion of keeping power near the people has little weight. The inhabitant of a city sees the water works which have been stolen, he knows the aldermen who helped to carry them away, and within fair limits he can reach a just conclusion upon the questions of guilt or innocence, and whether the law has been justly enforced. But the distance of the Washington stage is suited to sleight-of-hand and the red fire of the tableaux, and it matters not that the guilty may be dramatically absolved and the innocent attacked, and that mere suspicion or laudation may more easily take the place of proof, if only the central performer on the stage is willing to work the machinery of justice for political ends. The unknown and the distant have an obvious advantage over the near and the commonplace, for they strongly appeal to the imagination.

Excessive federal supervision of course disregards the boundaries that have been established between the national and state governments, and by centralizing authority more and more at a greater distance from the mass of the people it causes power when exercised to strike with a heavier incidence, just as a falling body acquires momentum and strikes the harder the farther it has fallen. But still worse, it tends to establish a relation between the government and the individual which ought never to exist, and which leads him to rely upon the government to do those things which he should do for himself. The debate upon the appropriation for the geological survey well illustrates this tendency. When once an

executive bureau has been established it is the well-settled rule for it, not merely to "grow up with the country," but to expand with far greater rapidity than the country's growth. In reaching out for an enlarged jurisdiction it not infrequently duplicates the work already performed by some other bureau. If a special appropriation is granted it for a temporary work, the temporary appropriation is apt to grow into a fixed or an increasing annual charge upon the Treasury. The splendid proportions to which the appropriations for the geological survey have grown showed that that excellent bureau was no exception to this rule. A few years ago a special work of testing such substances as fuels and building materials was put in the charge of this bureau. This special work was established in connection with the St. Louis Exposition, which, of course, has passed into history. But it was proposed on an appropriation bill at the last session to continue this work, which was not the testing of materials and fuels upon the public domain, but of materials and fuels belonging to private individuals. It proposed to have the government do something at its own expense which the individual had in times past done for himself and done very successfully. But from the debate one would perceive the greatly superior way in which a private work could be performed by men holding an office under the government, — and at its cost; he would wonder that we had on the whole made some progress upon individual initiative, and that the telephone, the telegraph, and the other marvels of invention had not first been brought to light by men in the classified service or wearing a federal uniform; and listening to the debate, he would have marveled still more when he recalled some government institution, — the naval observatory for instance, with its wonderful equipment of telescopes and other instruments, its large and talented staff paid by the government to explore the heavens, and its magnificent

appropriation, — and remembered that — omitting one rare man — its discoveries would not compare in importance with those of some half-starved college professor in charge of a meagre and poorly equipped observatory upon some New England hillside. A noteworthy feature of the incident was that the appropriation was favored by conspicuous members of the party claiming as its own the time-honored creed that the government which governs best governs least.

I have referred to the efficiency of the present Congress in the expenditure of public money. The total appropriations of the session amounted to \$880,000,000, and if the appropriations for the Panama Canal and on account of the public debt are deducted there will still remain nearly \$800,000,000, as the cost of running all the departments of government for a single year, including the post office. It may perhaps be urged that appropriations amounting in all to \$35,000,000, to cover deficiencies in previous years, should also be deducted; but deficiency has become a regular feature of our budget, and, if we may judge from the precedents, Congress at a future time will be called upon to provide for the deficiencies of the current fiscal year. This total of \$800,000,000 of annual expenditure is about \$300,000,000 greater than the corresponding expenditures for the first fiscal year of the McKinley administration. This astounding increase of about sixty per cent in the period of nine years demands some scrutiny and explanation.

An analysis of the appropriations will show that much the larger part of the entire increase is due to our vastly greater expenditures for military purposes. That our appropriations for these purposes might be somewhat lessened with safety is doubtless true, but the greater part of the increase is the necessary consequence of the policy of empire and glory upon which we entered at the conclusion of the Spanish War. That policy affected the United States no more profoundly in the

principles of its government than in its military problem. In 1898 a great ocean separated our territory from every nation that might make itself formidable to us in war. If prior to that year Japan, for instance, had desired to attack us she would have been compelled to bring her war ships, with their limited steaming radius, and her armies, across the Pacific, and to fight us upon the American side of that sea — a task she could not hope successfully to perform. And the hopelessness of the undertaking would have made it practically certain that she would never attempt it. But to-day, if she determined to attack us, all she would need to do would be to seize some little island of ours lying at her own doors, and we should be compelled to cross the Pacific to give her battle; for as a practical question, I think no one doubts that the United States in the present temper of its people would defend the least of its possessions from forcible capture. In other words, our "world power" statesmen at a stroke of the pen converted this superb ocean rampart into a rampart for a possible foe, which it would be necessary for us to cross for the purposes of defending our own territory. Since then we have rendered ourselves so vulnerable to attack, it would scarcely be the part of wisdom to rely entirely upon the pacific intentions of other nations and permit an abject military weakness to appeal too strongly to their warlike ambition.

A further scrutiny of the appropriations will also bring to light the fact that there has been a very considerable increase in the cost of running the machinery of civil government, made necessarily large by the steady encroachment of the national government. The plea that our national expenditure on the basis of population is less than that of some of the other great powers contains an obvious fallacy. It does not take into the account the federated character of our system. Our state and municipal governments support the weight of public education, of constructing and maintaining roads, fur-

nishing protection against fire, providing the courts which decide the great mass of controversies, and maintaining the internal peace and order. The people of Massachusetts, for instance, tax themselves each year about \$25 per capita in order to carry out these great purposes of government which are partly or wholly performed by the more centralized governments of foreign nations. When all our governmental expenditures are taken into account there is not more than one great foreign power, if, indeed, there is a single one, that can vie with us in amount of taxation.

Undoubtedly the most important enactment of the session, judged by the effort expended to secure its passage, and by that feature of the legislation from which it took its name, was the Railroad Rate Bill. No subject in our recent politics has been talked about more vaguely nor been less understood than the precise form of the railroad question involved in the bill. It would not be an exaggeration to say that public opinion, the argument upon the subject in the first presidential message, and the body of the debate, were directed to a point which was absolutely unrelated to the controverted principle of the bill. Every feature of the legislation which might tend to prevent or punish discrimination by railroads could have been passed without debate and by unanimous consent; but when government rate-making was put forth as a cure for discrimination there was presented an economic non-sequitur, so palpable as not to stand the test of a moment's serious thought.

To understand the situation more clearly, and to discover how far, if at all, the rate-making provision of the bill responded to any evil related to it and to any well-developed public opinion, it will be necessary to revert to the session before the last, when the subject first engaged the attention of Congress. In his annual message in December, 1904, the President dealt at length with the evils of discrimination and the giving of rebates

by railroads, and concluded by proposing as a remedy that authority be conferred upon the interstate commission, when a given rate was complained of, to establish a new rate which should have effect immediately and stand until set aside by the courts. There was undoubtedly a strong public sentiment at that time against railroad discrimination, but such sentiment as existed in favor of giving the commission authority to fix rates was confined to the commission itself or to isolated utterances of a few individuals. Certainly, if one looks for the manifestation of a public opinion in favor of government rate-making prior to the last presidential election, in the important newspapers, the platforms of the great parties, or the utterances of their candidates, he will look in vain.

It was pointed out very early in the debate that followed the introduction of a rate bill in the preceding congress, that there was no logical relation between the fixing of rates by the government and the giving of rebates or secret rates by the railroads. If a governmental agency should set aside a rate established by a railroad and substitute another for it, the railroad could as easily give a secret rebate from the new rate as from the one that had been set aside. The making of rates by the commission would do no more to prevent rebates, as was said by Mr. Ackworth, a leading British authority, than would the reenactment of Magna Charta. Senator Dolliver, the leading Republican supporter, in the Senate, of government rate-making, formally admitted during the debate at the last session that it would not prove a remedy for rebates.

But the recommendation had been made by a Republican president, and it at once became party policy; it was enthusiastically supported by the Democratic party, with the modern principles of which it was precisely in line; every known instance of railroad favoritism, the grafting of insurance officials, the magnitude of swollen fortunes, almost

every financial and economic evil of the times very naturally served the purposes of argument in favor of a measure the inception of which had violated every logical rule, and government rate-making finally passed with only seven dissenting votes in the House and three in the Senate.

The debate upon the bill will rank among the notable congressional debates of the generation. In the House, where the rules and the practice make it easy to limit discussion, it was much more brief than in the Senate, and for that reason perhaps the speeches were devoted much less to detail and dealt more broadly and comprehensively with the important features and the vital policy of the bill. If the volume of the debate in the House is reduced one half by rejecting the glowing anti-corporation sentiments which might perhaps be expected in a body whose members were about to come before the people for reelection, there will remain a thorough and informing discussion of the bill.

It was inevitable that so rare an opportunity should have been embraced to exhibit a lavish generosity that would cost the giver nothing. There was shown a tendency to overlook entirely the distinction between public property and capital invested in a public service, as if the capital invested in rendering a public service, with the result of making the present development of the country possible, was any less entitled to the protection of the law than those other forms of capital, sacred and inviolable to law-makers, which were devoted to the making of beer or woolen goods or to any other selfish kind of industry. Some senators and representatives were generously willing to concede that the fabulous values created by the enterprise of the railroad builder should be further augmented at the cost of the wretches whose investments underlay the country's prosperity, but who had incautiously put their money where it could not get away. At least, the railroad scoundrels should

consider themselves fortunate if they were permitted a return of three per cent by an indignant people whose values had increased tenfold by the building of railroads.

Much was said in the debate about "Graft," which was declared, we may well believe with truth, to be the crime of the few and to be foreign to the great mass of business and to the general conduct of our people. But if anything would effectively prove its general prevalence and that it infected the whole body politic, it would be to have a public response to the appeals which in effect were made to have the farmer, the manufacturer and the merchant join hands under the lead of the politicians and treat the vast mass of capital invested in railroads as mere loot because it was guilty of performing a public service.

Most of the speeches in the Senate ignored the broad economic and constitutional grounds of debate, and there was an imposing display of technical but rather irrelevant learning. This scrutiny of detail resulted from the rules of the Senate, which secure the unlimited right of amendment and debate. But with the exception of the court-review amendment and that prohibiting common carriers from engaging in other forms of business, the contributions of the Senate to the bill were not of the first importance. Great legal skill was shown in debating whether the bill would be constitutional if it did not contain an express and broad provision for a court review, as if the courts would not protect all constitutional rights without the express direction of Congress. Whether the bill attempted to delegate legislative power was a much more robust constitutional point. This point received little attention in the Senate outside of the masterly speech of Senator Foraker, which in its luminous treatment of the broad legal and constitutional questions involved was the incomparable speech of the senatorial debate. Admitting for the purpose of argument that the making of railroad rates was within the

power of Congress to regulate commerce between the states, Congress itself would have to exercise the power and could not delegate it to any other body. But it was asserted by the friends of the bill that in giving the commission authority to fix only such rates as were just and reasonable, Congress established the rule of rates, and that nothing was left for the commission but to perform a merely ministerial act without the exercise of any legislative discretion. This would seem equivalent to asserting that Congress itself does not exercise legislative discretion unless in such acts as are unjust and unreasonable. If Congress can confer the power to fix just and reasonable railroad rates upon a commission, then it can in the same way confer any of its other great powers, and commissions may be created to establish reasonable tariff rates or to declare just wars, or to make just and reasonable regulations upon any federal subject. The principle of the bill would thus seem to involve nothing less than congressional abdication.

The opponents of the bill contended that the law should require all rates to be just and reasonable, and that under such a provision the individual could always secure redress in the courts for any extortion by the railroad. Judging by the readiness of juries to award round verdicts against railroads for damages to persons and property, it cannot be doubted that the railroads would maintain a system of unjust or preferential rates at the peril of bankruptcy if the individual should proceed in the courts, which are the forum where rights are made practical, and a government by law is secured. If the commission were endowed with greater power to initiate proceedings where upon investigation it believed a rate to be unjust, the practical remedy against excessive charges would be more effective than in the Hepburn bill. The power of testing every rate exercised by judges scattered over the whole country would in no degree tend to centralization,

but the fixing of rates by a central commission at Washington, whose members were appointed by the President, and were subject to removal by him at any time, would mean centralization of the worst character. For what greater power could an ambitious president, seeking reëlection, ask than the power, by his coercive authority over the commission, to fix every freight rate between the two oceans, and to discriminate in favor of a community whose vote he was attempting to secure as against a community which was hopelessly antagonistic.

Fifteen years ago Chief Justice Cooley, then the chairman of the commission, declared that the task of fixing freight rates for the whole country would be a superhuman one for the commission to perform. To-day the task would be twice as great, owing to the expansion of our railroad system. Instead, then, of the flexible American system of adjusting rates to the demands of business and the competition of railroads and localities, any material interference by the commission in the making of rates would be likely to give us the unyielding and wooden schedules characteristic of bureau rate-making abroad; and instead of the low long-distance rate which has enabled the most remote parts of our country to trade with one another and has been responsible for the settlement of the interior portions of the Union, we should need to prepare ourselves, if foreign experience is of any weight, to witness a rate based upon distance which would be fatal to the long-distance traffic. An important practical safeguard against the chief evils of commission rate-making so far as the railroads are concerned will be found in the fact that their task, as Chief Justice Cooley said, is superhuman, and therefore impossible of performance, and in the sweeping provision for a court review.

So far as the prevention of discrimination is involved it is noteworthy that there is nothing in the bill which approaches in its definite and sweeping

terms the Elkins Law, which had been upon the statute books nearly two years before the rate-making programme was proposed, and which had never been seriously enforced. There was nothing of mystery about this statute. It required no profound legal knowledge, but only the ability to read, to discover in its provisions the most comprehensive remedy for rebates, both against the railroad which gave and the shipper who received them. The effective proceedings against discrimination instituted under the Elkins Act during the last six months, which have almost uniformly been upheld by the courts, make it certain that if that act had been enforced prior to the President's first recommendation for commission rate-making, the recommendation, if made at all, would have been based upon some other ground than the prevention of rebates and discrimination. And as there was at that time no general complaint that railroad charges were excessive, the recommendation would probably never have been made at all.

The work of the Congress is, of course, not yet complete, although it is not probable that important legislation of a general character will be secured at the short session. The Immigration bill, which has passed both houses in different forms and is now in conference, may be enacted. The situation in Cuba may demand legislative action, which it is to be hoped will not destroy the independence of the little republic, in line with those flamboyant speeches which were made for Philippine annexation, and are now being repeated. But almost the whole time of the ten weeks' session will be required for the passage of the great annual supply bills.

I have referred to those features of the record of the session which seemed to me of the chief importance. It remains for me to suggest an obvious question of a general character, and not related to any particular measure. Did the course of leg-

islation show that enlarged participation of the executive in the work of Congress, the tendency towards which had been witnessed in recent years? To this question I imagine only a single answer will be given. The influence of the executive upon legislation is to-day by no means confined to those common constitutional methods of expression, the veto and the message recommending legislation, but it is chiefly shown by an influence exerted upon the individual members, upon the legislative machinery of the two houses, and even by special messages upon amendments proposed to particular bills, which in effect amount to written speeches upon the mere details and phraseology of measures, and are read in that House in which the debate is proceeding. There are concentrated in the person of the President the great authority of the party leadership and the far greater practical authority which results from the vast powers of his office, of which by no means the least important, and certainly the most corrupting, is the control of the patronage. Unless there is a scrupulous and restrained exercise of these enormous powers, the presidential office becomes a formidable engine for throwing the whole mechanism of the Constitution out of gear. The practical absorption of the great prerogatives of Congress has gone as far as it can be permitted to go with safety to our system of government.

After all the laudations upon mere rapidity of motion without regard to direction, and the supreme importance of "doing things," with discrimination as to the character of the "things" a secondary matter, something still remains to be said in favor of parliamentary institutions, which in Great Britain and in this country have furnished the world with the best models of free government. One representative will be slow, over-cautious, and never disposed to action; another

will be all impulse, and in reaching his conclusions will scorn to indulge in the process of thought; but in a great body of representatives the influence of extremes will be largely nullified and a comparatively safe average will be struck. But where you have a government of one man, it is apt to be a government by fits and starts, depending rather upon individual traits than upon the law. If your ruler is ultra-conservative, your government may never move at all. If he is erratic and emotional, ready to settle over night the problems that have vexed the ages, you will have a government of instability, and the great ship will be sailed, not by the charts and the settled currents of opinion, but like a cat-rigged boat, trimmed to catch every whiff of wind that may at the moment be blowing. At a time when Parliamentary institutions are becoming more powerful in Europe, and our people are looking with extreme sympathy upon the attempt in Russia to establish a duma, it is significant that we should be regarding with silence and apparent unconcern a movement in the direction of the practical obliteration of the Congress of the United States, and that we should apparently be turning our faces away from those nations with which we are most closely allied in civilization and ranging ourselves by the side of those South American countries where congresses and even courts employ themselves in registering executive decrees. And although it must be confessed that executive government is likely to afford a loftier stage for the exhibition of those arts with which the rapidly increasing breed of political acrobats and sword-swallowers may thrill the galleries of the country, the American people are not yet ready consciously to adopt such a system however entertaining it might be. The clear and general understanding of the danger will provide a certain remedy.

THE IDEAL LAWYER

BY DAVID J. BREWER

THE ideal lawyer! Is such a being possible? To many the adjective and the noun stand in contradiction. As well speak of the ideal thief. "Ideal" in the best sense of the word implies supreme excellence. It suggests as to persons that moral superiority which attracts and compels admiration. But such a character is to many incompatible with the life and work of the lawyer. In the declaration of the Master, "Woe unto you lawyers," they see the deserved condemnation of the entire profession. In their judgment one may properly speak of the best, the most successful, the most active lawyer. Indeed, any superlative is accepted as appropriate which does not suggest morality. The early history of Massachusetts illustrates this.

Washburn, in his *Judicial History of Massachusetts*, says: "It was many years after the settlement of the colony, before anything like a distinct class of attorneys at law was known. And it is doubtful if there were any regularly educated attorneys who practiced in the courts of the colony during its existence. Lechford, it is true, was here for a few years, but he was soon silenced, and left the country. Several of the magistrates had also been educated as lawyers at home, among whom were Winthrop, Bellingham, Humfrey, and probably Pelham and Bradstreet. But these were almost constantly in the magistracy, nor do we hear of them ever being engaged in the management of causes. If they made use of their legal acquirements, it was in aid of the great object which they had so much at heart, — the establishment of a religious commonwealth, in which the laws of Moses were much more regarded as precedents than the decisions of Westminster Hall, or the pages of the few elementary writ-

ters upon the common law which were then cited in the English courts."

By an act passed in 1663, "usual and common attorneys" were excluded from seats in the General Court, as the Massachusetts Legislature is called. In 1656 the following statute was enacted: —

"This court, taking into consideration the great charge resting upon the colony, by reason of the many and tedious discourses and pleadings in the courts, both of the plaintiff and the defendant, as also the readiness of many to prosecute suits in law for small matters, it is therefore ordered, by this court and the authority thereof, that when any plaintiff or defendant shall plead by himself or his attorney, for a longer time than *one hour*, the party that is sentenced or condemned shall pay twenty shillings for every hour so pleading more than the common fees appointed by the court for the entrance of actions, to be added to the execution for the use of the country."

There was a crafty wisdom in this statute which commends itself to any one of much experience on the bench, and I venture to suggest that a similar act might to-day be sustained.

If the ideal lawyer is the one who stands at the head of his profession, and is regarded as the ablest lawyer, the question arises: What gives him his position, what is the general understanding of his characteristics and qualifications? Many would say that he is the one who has the greatest knowledge of the law and is most successful in keeping his clients safe from the consequences of their own wrongful conduct. The idea that he carries conscience into his own life, or into the advice that he gives his client, is repudiated. I remember listening to a severe denun-

ciation of the profession. After a while I ventured to ask the individual so denouncing, his reason therefor, and he promptly replied that once, when sued on a promissory note, he was pressed for money and wanted time. So he consulted a lawyer, who advised him that the statute of limitations was a perfect defense, and on his suggestion that plea was made, sustained, and judgment entered in his favor. He insisted that the lawyer ought to have told him that as an honest man he should pay the debt; that he should not have advised him to the wrong of pleading the statute of limitations. After some conversation I asked him if he had since paid the note. "Oh no," he promptly replied, "I have a judgment against the owner." He was abundantly able to pay, and the burden of his complaint was that, although the lawyer had stated correctly his legal rights, he had not at the same time assumed the prerogative of directing his conscience to the injustice of a technical defense to a just debt.

But a curious contradiction to this denunciation of the lawyer is his prominence in official life. Without stopping for statistics, which have been so often collated, it is enough to say that in the public life of this country the lawyer has been the conspicuous factor. The judiciary, of course, is altogether composed of members of the profession. In executive offices and legislative halls the law has predominated and still predominates over every business, and all other professions. Yet the public life of this country has been of the highest character. Acting for the public as the lawyers have done in these various fields of official labor, they have proved true to their employment, and it may safely be said that the scandals which have sometimes been found in official life have seldom attached to them. How can this be accounted for except upon the theory of a general personal integrity? It will not do to suggest that the office-holding lawyers are mere illustrations of that singular character portrayed by the novelist Stevenson, Doctor Jekyll and

Mr. Hyde,—honorable, high-toned, faithful, in one aspect of life; dishonest, unreliable, base, in another. Neither will it do to say that they have been selected for official life only because of their capacity for drafting statutes, bills, and documents, their familiarity with the details of legislative and executive life, and that the public consciously ignores the want of character. Nor is it a sufficient explanation that, although the great mass of the profession is corrupt, there are a few who are reliable, and they are the ones whom the public select for official life. The truth is, their very prominence in public life, their fidelity to the trusts therein imposed, is evidence which cannot be ignored that the profession has and maintains a character for honesty and uprightness which attracts general confidence.

Beyond this official recognition is local prominence. Go into any village, town, or city and ask for the leading citizen or citizens, and you will be sure to hear the name of some lawyer. In our New England villages, Squire, as the lawyer was familiarly called, was generally named as the leading citizen. This official selection and social prominence furnishes satisfactory evidence that the profession is not destitute of moral superiority; for surely it would be an unjustifiable reflection on the American people, that they give official and local prominence to unworthy men.

Still again, no profession is to-day so singled out and entered upon by ambitious, brainy young men, as that of the law. No one is so crowded. It does not stand to reason that the high-spirited young Americans are pressing eagerly toward a profession whose practice implies dishonesty. Do not all these things point directly to the fact that there is an ideal lawyer, that moral superiority is consistent with and to be found in the profession?

Before, however, considering the characteristics of the ideal lawyer, let me notice some other charges against the profession. One is that it is a consumer and

not a producer. It adds nothing to the material wealth of the nation; it lives and grows fat on the mistakes and sins of others. The farmer, the miner, the mechanic, the manufacturer, all are adding to the general property. The artist, sculptor, painter, or architect leaves behind him, in statue, painting, or building, visible, tangible evidence of his contribution to the well-being of society. The lawyer does nothing in either of these directions; he is only a burden upon, and not a blessing to society. It may be conceded that he adds little to the material wealth of the nation, that his work is not with things that are tangible, and which perish with the using; but shall it be said that that profession which has produced the mighty structure of the common law, with its wealth of blessing to social, business, and political life, — which has stood in all the great epochs of Anglo-Saxon liberty as the earnest and strong defender of the common people, — has produced nothing of blessing?

Another charge is that it promotes quarrels. As it lives by the disputes of others, the more disputes, the better it lives. So it encourages litigation. It magnifies to the individual his supposed wrongs, and provokes a lawsuit, when a few kindly words would settle all controversy and leave friends where he has made enemies. In other words, it is a stirrer up of strife. A familiar saying is that two lawyers will grow rich where one will starve. No one is injured without some lawyer suggesting an action to recover damages. To preserve a semblance of respectability, he employs that phenomenon of despicability — in Western parlance called a snitch — to work up the lawsuit and secure his principal's employment. The existence of these legal parasites may be conceded. Unfortunately they are too numerous. But they represent the lower side of professional life and they speak for only the commercial fragment. They do not typify the profession, nor illustrate its ideals. Against them no war is so earnestly waged as that carried on by the

bar itself. Indeed, the great lawyers, they who are the leaders, are more distinguished for their ability to settle than to promote litigation. The true lawyer is a peacemaker, a counselor rather than an advocate.

But I must not tarry on the lower phases of professional life. Let me rather discuss the higher. For it is the ideal lawyer I wish to present; and what has been said surely indicates that there is a higher side, that the term "ideal lawyer" is not necessarily or even generally a contradiction between noun and adjective.

Law is the potent force which binds all the separate, and often heterogeneous, individual atoms into a single social whole, unites protection to the individual with efficiency of combined action, and thus makes possible all the blessings which have come through increasing civilization and improving social order. And surely he who is the great artificer in the workshop of the law is not to be ignored in the consideration of the great problems of life. Indeed, strike from Anglo-Saxon history and present American life the lawyer and his achievements, and Sahara's shifting sands would present nothing more barren and hopeless.

So I pass to the question, Who is the ideal lawyer. what are his characteristics, what his essential elements and qualifications? And first let me say that he is honest, — honest with his clients, with the court and jury, with the public and himself. And this honesty is not, like good clothes, put on for prayer-meetings and social occasions, and put off in times of business or politics. It is that thorough, ingrained honesty which knows but one time, and that is life; but one duty, and that is action.

Every lawyer aims to be honest with his client, and with the court and jury: self-interest compels this. He knows that fidelity is essential to success. The most dissolute and depraved man, in the hour of sickness, seeks a doctor on whose advice he can rely, and who will be faithful

to his patient. Never does he call in one whom he cannot trust. So the worst of men, needing legal advice, go to a lawyer who will not betray them. And this is the general rule of all employment. I care not how corrupt a community may be, let it be understood that a lawyer is faithless to his client and betrays his interests, and he is shunned by all. He loses not only caste but business. Seldom do we hear of a lawyer who proves false to his client. Indeed, the complaint is that he is too loyal, and that in order to serve his client, he acts dishonestly to others and wrongs the public.

In like manner self-interest compels him to be honest with the court and jury. He knows that success depends largely on the confidence which they have in his truthfulness. I have been on the bench, trial and appellate, for forty-one and a half years, have held court in a dozen states, have had before me thousands of lawyers, and only in a single instance did I ever detect one in a deliberate, intentional lie, and I soon made his practice in my court so inconvenient that he left the state. I do not mean that I have not often found lawyers exaggerating or omitting facts. Generally these exaggerations and omissions were thoughtlessly made, and were due to the eagerness of counsel to impress the court with the merits of his client's case; but sometimes I fear they were intentional. I doubt not other judges would make a similar statement of their own experiences. Indeed the judge must largely rely on the statements of counsel, for in the vast volume of business which comes before most of them there is no opportunity for a personal examination of the truthfulness of every such statement.

Honesty with the public presents a more difficult and uncertain question. What does it require? In criminal law, for instance, many contend that duty to the client surpasses all obligations to the public and justifies counsel in resorting to every means or device, substantial or technical, to clear that client, even though he knows him to be guilty; while others

insist that a lawyer should never forget that he is a citizen, and owes a primary duty to the public; that while he may make every substantial defense and present his client's conduct as fully as is consistent with fairness and truth, yet he is not justified in resorting to any technicality. The question is asked, Should he abandon his client's case if, having undertaken it in belief of his innocence, he finds from the developments of the trial that he is in fact guilty? The conduct of the two gentlemen, leaders of the bar in Buffalo, who were appointed by the court to defend the assassin of McKinley, is referred to as illustrating the measure of a counsel's duty to his client. They produced every witness whom he desired, drew out all the facts of the homicide, and then fairly stated the case to the jury. It has been said that Reverdy Johnson, who was a leader of the American bar, employed to defend parties in South Carolina charged with cruelty to negroes, was so shocked by the revelations of the conduct of his clients that in the midst of the trial he abandoned the case and left it to the care of junior counsel. It must be confessed that there is on the part of many engaged in criminal practice a desire to succeed even at the expense of justice, —delaying the trial by all the strategy known to the profession until feeling may be supposed to have died out, some of the witnesses have disappeared or their memories become uncertain, striving to get a friendly juror on the panel, seeking in all possible ways to cast some technical error into the trial in order that, if the verdict and judgment be against their client, a reversal may be secured in an appellate court; in short, so conducting the whole trial that justice becomes weary and the guilty escapes. Anything for the sake of acquittal is their motto, and a victory however gained is heralded as proof of their ability.

Much has been said and many articles written in the effort to formulate some rule by which the lawyer shall be limited and guided in his actions in behalf of his

client. Can any better rule be given than to be ever thoroughly loyal to honor and honesty? He who is honest with himself is honest with others.

This above all; to thine own self be true,
And it must follow, as the night the day,
Thou canst not then be false to any man.

No lawyer is called upon to do any dishonest or dishonorable thing for his client. If the client demands it, declination is imperative, and if the demand is persisted in, termination of employment is equally imperative. Of course lawyers are subject to all the limitations and weaknesses of human nature, and profitable employment often clouds the vision. And here is where shines one characteristic of the ideal lawyer. His vision is not blinded. He looks above the golden calf and the shouting crowd, and ever sees on the lofty summits of Sinai the tables of stone chiseled with imperishable truth by the finger of God.

Were I called upon to name the one element most important in the make-up of the ideal lawyer, I should unhesitatingly say, Character. And wisely in the economy of life that is also the one element most essential to success. Brains without character may display a brilliancy of achievement. But pyrotechnics are short-lived. That which endures, upon which all rely, is Character. The lawyer who has it has the confidence of the judge and jury; he who has it not is suspected from the moment of his appearance. A story of Abraham Lincoln is an illustration: he was appointed to defend one charged with murder. The crime was a brutal one; the evidence entirely circumstantial; the accused a stranger. Feeling was high and against the friendless defendant. On the trial Lincoln drew from the witnesses full statements of what they saw and knew. There was no effort to confuse, no attempt to place before the jury the facts other than they were. In the argument, after calling attention to the fact that there was no direct testimony, Lincoln reviewed the circumstances, and after conceding that this and that seemed

to point to defendant's guilt, closed by saying that he had reflected much on the case, and while it seemed probable that defendant was guilty, he was not sure; and looking the jury straight in the face said, "Are you?" The defendant was acquitted and afterwards the real criminal was detected and punished. How different would have been the conduct of many lawyers. Some would have striven to lead the judge into technical errors, with a view to an appeal to a higher court. Others would have become hoarse in denunciation of witnesses, decrying the lack of positive testimony and the marvelous virtue of a reasonable doubt. The simple, straightforward way of Lincoln, backed by the confidence of the jury, won. Let me give another illustration coming within my own observation: A lawyer not brilliant but reasonably well informed was prosecuting attorney. He had the confidence of the community. A brilliant and eloquent lawyer was counsel for nearly all the accused in important criminal cases. At the close of a (to him) very disastrous term he said in disgust, "What is the use of my trying to defend? I make an absolutely clear and convincing argument, and after I am through, the prosecuting attorney gets up, and stating a few facts says these show that the defendant is guilty, and the jury go out, and in a few minutes bring in a verdict of guilty, and all because they believe the prosecuting attorney knows and would not ask them to convict unless the defendant was in fact guilty."

But let me pass on. While the ideal lawyer must be an honest man, the converse is not true. An honest man will not always make an ideal lawyer. He must be a constant student. The law reaches in every direction, touching every branch of knowledge and life. The doctor may be sued for negligence or malpractice, the editor be called upon to answer the charge of libel; the inventor may sue or be sued for infringement, the writer charge or be charged with a violation of the law of

copyright. One claiming to be an artist may be brought into court to show whether he is an artist or a mere copyist. Every transaction of the merchant or manufacturer may be the subject of litigation. Even the preacher may be called upon to answer a charge of heresy. The alleged criminal's sole defense may be insanity. In this and similar cases expert witnesses may be produced for or against the defendant, and the lawyer must be so familiar with the details and reach of the scientific facts and theories in respect to which these witnesses are examined as to make clear to the jury the accuracy of his own witnesses and the mistakes of his adversary's. Every increase in civilization, making as it does the social and business life more complex, increases the demands for a larger storehouse of knowledge on the part of the lawyer. Two men living alone on an island, with no dealings save between themselves, require little but the simple rules of barter and sale; but one living and dealing in the whirl of New York business life has a right to expect from his counsel familiarity with varied branches of knowledge. A boy may use a jack-knife skillfully, but put him into a large manufacturing, transportation, or telegraphic office, and he is lost. So a lawyer may draft a good deed, but fail when consulted concerning the rights and obligations growing out of the complex bank or other business transactions of to-day.

Specialization in the law as elsewhere has become necessary. There are patent lawyers, admiralty lawyers, real estate lawyers, corporation lawyers, criminal lawyers, etc.; and yet even with this specialization and the restriction of one's work to a particular branch of the law, constant study is necessary to keep pace with the ever-increasing and diversified questions which are arising in practice. Inspiration is a lost art in the courtroom. No true lawyer advises, prepares documents, or tries a case without careful preparation. Forensic oratory has passed away. No longer does the crowd gather in the county court house to listen

to and be moved by the wit, pathos, and eloquence of the advocate, as for hours or days he addresses the jury. The courtroom may be filled, but it is largely with the ubiquitous reporters, many of whom are as destitute of tears as Sahara of water, and as callous to emotion as the mummied sleepers of Egypt. No longer is it true that weeping men, and women with handkerchiefs to their eyes, are moved by the eloquence of counsel. Rather may it more truly be said that distant Texas and the far Pacific slope hang breathlessly on the reporter's imagination and manufactured eloquence. Time is a pressing factor. Facts rather than eloquence is the demand. "Are you going to talk all day? I want to go home and milk my cows," was the sudden appeal of a juror in my court to a counsel who was endeavoring eloquently, as he thought, to impress the jury. The rapidity manifested in other proceedings in life asserts itself in the courtroom. The stagecoach and the canal boat have given way to the automobile and the palace car. Even the post-office is too slow. Transactions of weightiest import and involving millions are settled in a moment by telegraph or telephone, and the law must keep pace with this demand for speed, and it does strive to keep pace with it, — except when the interests of the client seem to the counsel to call for as much delay as possible. Arguments in the appellate courts are generally mere colloquies between court and counsel, the one seeking to obtain and the other to give the essential facts and the controlling principles.

One of my early experiences illustrates the change from the old to the new way. After the passage of the Union Pacific act, making large grants in land and money, the possession of the Leavenworth, Pawnee & Western Railroad, one of the beneficiaries of that grant, became a matter of large concern. The right of the one in actual possession was challenged by another, and suit brought in the Federal court by the latter to acquire possession. The former, unwilling to

trust local counsel, went to Ohio and employed the venerable Thomas Ewing (familiarily known as "the salt boiler"), paying him a retainer of one thousand dollars and promising four thousand dollars more. When the case came on for hearing and quite a volume of depositions had been read, counsel for the plaintiff talked for a day or more, then Mr. Ewing rose, spoke twenty-five minutes, and sat down. His client, the one in possession, was as furious as man could be. He employed all the vocabulary of denunciation known to a New York broker — and even imagination is exhausted by that illustration — in denouncing the profession in general and Mr. Ewing in particular, emphasizing every clause with a profanity that would have made a sailor or a cowboy blush for shame at his incapacity. "Five thousand dollars for twenty-five minutes' talk." The monstrosity of such robbery was to him appalling, and he was only partially reconciled when the court decided the case in his favor upon the single proposition made by Mr. Ewing.

But knowledge of the law is not alone sufficient. Making the brain a mere storehouse of information duly arranged and labeled, as a library is full of books properly marked and shelved, is not all. There must be that mental power which enables the possessor to apply his knowledge to the facts of the case and determine the controlling principles. Benjamin R. Curtis was in his day the leading lawyer of the nation and one of the greatest this country ever produced. I have heard one who was a Justice of the Supreme Court during the years of his practice before that tribunal say that Mr. Curtis never took over twenty or thirty minutes in the argument of a case, never had but one or, at the outside, two books from which he quoted; and while he did not win all his cases, every one was decided upon the principles which he discussed and presented as controlling.

I know there are many lawyers who do not realize how true this is. Some will

throw at an appellate court a volume of three or four hundred pages, facetiously calling it a brief, making every conceivable point suggested by an examination of the record, in the hope that if unable to catch the court on one hook they may succeed on another. The modern digest is a great help to this kind of practitioner. It enables him to load down his propositions with a multitude of citations, without ever looking to see whether they are pertinent or not. This is purely mechanical law, which may be a bonanza to the printer, the clerk, and the lazy lawyer, yet is a burden and a curse to the client and the court.

The court-room is the place where the lawyer is seen, and the common opinion of him is based on what he there displays. The ideal lawyer is there often made manifest. In a trial his learning, his skill, his knowledge of human nature, are disclosed. His work is open. He cannot conceal his mistakes. There is a great fascination in seeing how he conducts himself and manages his case. It is not to be wondered at that the court-room used to be so crowded, and is now so frequently full. Some speak of it as a loafing place, but the many are really drawn by a not unnatural curiosity respecting the trial and the actors therein. How often have I from the bench watched with interest the adroitness of counsel, their knowledge of human nature, the skill with which they select jurors favorably disposed to their clients. I have many times asked a counsel why he rejected a juror, and been astonished at the accuracy of his discernment of something in the juror suggesting prejudice. The desired juror varies with the character of the case and the question to be decided, and the lawyer is often gifted with what seems like an instinct which enables him to select and reject according to the interests of his client. No place in life calls for a more frequent manifestation of that most uncommon possession, common sense. President McCosh, of Princeton, a canny Scot, once said to a group of students, "If you wish

knowledge of the languages, of mathematics, philosophy, medicine, law, or theology, come to us and we can give it to you, but if you want common sense, God pity you, we cannot help you." So the lawyer whose common sense enables him in the varying and unexpected contingencies of a trial to adjust himself to the calls upon him is the successful and in this respect the ideal lawyer, while the one who cannot so adjust himself, who is, to use the familiar illustration, trying to put a square peg into a round hole, is almost always a failure. Not alone in the selection of a jury but in the examination of witnesses is the skill of counsel manifested. There is no better test of a lawyer's ability than a cross-examination. Too often in his eagerness he overdoes the matter and only makes stronger the testimony given by the witness-in-chief.

The following story illustrates the exceeding cleverness of one of our leading counsel in this respect. A wealthy family in the West had an only son who came to an Eastern city and engaged in business. He left the West an unmarried man and lived for some years in the East. So far as his family knew he never married, but on his death a woman claimed to have been his wife, and sought a widow's share of his property. She had no certificate of marriage nor was there any registry of it. Most of the family, in order to avoid publicity, were willing to allow her something in compromise of her claim, but the mother, proud of the honor of her family, repudiated the idea of her son's clandestine marriage, and determined to fight the claim. On the trial it was shown that although the son frequently visited his home in the West, he never brought his alleged wife, never spoke of her, never suggested the fact of marriage; and the mother, testifying to all these facts, insisted that it was impossible that her son could have married without informing her, with whom he had been all his life on the most confidential terms, of the fact. After she had finished her testimony in chief she was turned over to the opposing counsel

for cross-examination. She faced him with an air of determination as though she expected a protracted and bitter cross-examination and was ready to contest every inch. With the utmost deference and courtesy he said, "I understood you to say that your son was an honorable man." Quick as a flash the proud mother straightened herself up and replied, "The soul of honor, sir; the soul of honor." "That is all," was the counsel's comment, and the mother left the stand, astonished at his brevity. It appeared, however, in the case that the son had introduced this woman into the society of the city where he lived as his wife, had taken her to a hotel, registering himself and wife, and when counsel came to argue the case to the jury, the burden of his successful argument was that this man was the soul of honor and could not have done such a thing unless it was true, as she claimed, that they had been married.

The question is often asked, Is not commercialism destroying the character of the profession? Doubtless it has its hurtful influence. The golden calf has many worshipers both in and out of the profession. Indeed, it could hardly be expected that the community generally would be affected and lawyers escape untouched. It is said that it affects the legal profession more than others. It may be that its effect is more obvious, but there are sufficient reasons therefor,—and this without referring to the slurs sometimes cast upon the doctor and the minister. First, the lawyer is placed in more intimate touch with the intense business life of the day. He sees the great pecuniary rewards and how they are gained, and naturally is moved by an impulse to obtain the same for himself. Again, the legal profession is overcrowded. Multitudes of law schools scattered all over the land are annually turning out thousands of disciples of Blackstone. By reason of this multitude the struggle for subsistence becomes more intense, and in such a struggle the character of the means employed

is not infrequently ignored. On the other hand, the pulpit is not crowded. Indeed, the supply scarcely equals the demand. The doctors multiply almost as fast as lawyers, yet the sick-room does not afford the same publicity as the court-room, and while the doctor not infrequently graduates his charges by the wealth of his patient, he has not yet acquired the boldness of the lawyer in so dealing with his client. This rush into the profession is not to be wholly condemned, nor need we unduly lament the fact that a good farmer is sometimes spoiled to make a poor lawyer or doctor. Indeed, the eagerness to seek a professional life is evidence of a growing desire on the part of the young for the better things of life. They do not wish to give their time and strength to mere manual labor or even that which requires a preponderance of such labor. It is akin to the feeling which sends so many from the country into the city, and which makes it so difficult to induce those in the city, even the destitute, to go back. They realize that country life means not only constant and severe work, but large social isolation, while with all the privations they endure in the city they see the wondrous things of our high civilization. They are themselves part of its often thrillingly interesting life; and they prefer to enjoy even a vision of that, with all their privations, rather than to return to the solitude and toil of country life. Let us remember that every aspiration and struggle to secure a higher and better life is worthy of commendation rather than condemnation, whatever may be the result of the aspiration and struggle. The eager, enthusiastic American youth is not content to be always a hewer of wood and a drawer of water. He looks forward to becoming a potent factor in the marvelous life of the republic.

It must also be borne in mind that the thoughtful men of the profession are striving to put additional safeguards around their ranks, which will prevent the entrance of, and also remove after entrance, the unworthy and incompetent; and at

the same time lift up its character. The time was, and that at no distant day, when a very brief study was sufficient to secure a license to practice law or medicine. Indeed, for a while one state in the Union authorized admission to the bar on a mere certificate of good character and without any evidence of a knowledge of the law. I was myself admitted to the bar before I was allowed to vote. In other words, the great state of New York, through its constituted authorities, certified that I was qualified to advise my fellow-citizens concerning their legal rights and remedies before it would permit me to hold office or even to cast a ballot. More stringent rules are everywhere now adopted. Longer periods of study, careful examinations, are insisted upon; and wisely so, for the problems of law and medicine are daily becoming more difficult, and clients and patients should not be called upon to suffer from the ignorance of counsel or physician, or to pay by their sufferings for the education of either. Not only in respect to the admission but also to the subsequent conduct is there increased watchfulness. Bar and medical associations exist all over the country, keeping watch upon their brethren, exposing wrong and bringing to just punishment the wrongdoer. Wide and potent is the influence they exert in maintaining the good character of the professions. At the meeting of the American Bar Association, which is the national representative of the profession, held in 1905, a committee was appointed to report upon the advisability and practicability of a code of professional ethics, and its report recently presented is worthy of notice. After affirming the advisability of such a code and denouncing the conduct of some lawyers, it adds, —

"Members of the Bar, like judges, are officers of the courts, and like judges should hold office only during good behavior. 'Good behavior' should not be a vague, meaningless or shadowy term, devoid of practical application save in flagrant cases. It should be defined and

measured by such ethical standards, however high, as are necessary to keep the administration of justice pure and unsullied. Such standards may be crystallized into a written code of professional organizations, local or national, formed, as is the American Bar Association, to promote the administration of justice and uphold the honor of the profession. Such a code in time will doubtless become of very great practical value by leading to action through the judiciary; for the courts may, as conditions warrant, require all candidates for the Bar to subscribe a suitable and reasonable canon of ethics as a condition precedent to admission. If this be done, the courts will be in an indisputable position to enforce, through suspension or disbarment, the observance of proper ethical conduct on the part of the members of the Bar so admitted. Indeed, eventually the people, for the welfare of the community and to further the administration of justice, may, either by constitutional provisions or legislative enactments, demand that all, before being granted by the state the valuable franchise to practice, shall take an oath to support not only the constitution, but such canons of ethics as may be established by law."

Such a declaration from that body is assurance that the profession recognizes that there is an ideal lawyer, and that it intends that no one shall be tolerated who does not possess one at least of the elements of such a lawyer, to wit: a high moral character.

I know that we hear of enormous fees. The oft-told story of the Jewish and Christian lawyer is suggestive. The two were employed in a single case. When it was finished, the former said that he thought their fee for the service rendered should be five hundred dollars, to be divided equally between them. The latter said, "Well, leave it to me." A few days thereafter he gave to the former a check for fifteen hundred dollars as his half of the fee collected. As the Jew received the check he looked at it carefully, and

then at his Christian brother and said, "Almost thou persuadest me to be a Christian." But the size of the fee is not always a decisive test of a spirit of commercialism. A fee, though large, may be justified by the difficulties of the case, the amount involved, and the length of time given to the service. There is no reason why great abilities in any profession, and successful conduct of difficult undertakings, should not be handsomely rewarded.

Neither should it be forgotten that in all the great charitable, educational, and religious movements the lawyer is present as counsel and guide, one without whose assistance many of them would fail; and that in them he acts without other compensation than that rich reward which comes from the consciousness of having striven to help others. In conclusion on this branch, let me say that while it must be confessed that the spirit of commercialism has touched the profession, as it has touched all other kinds of business, yet there is an active, aggressive movement on the part of the members of the bar to counteract its demoralizing influence, and to make the profession an abiding-place of men of the highest personal character.

Finally, it may be said that the true lawyer never forgets the obligations which he as a lawyer owes to the republic, that he always remembers that he is a citizen. In a general way it may be said that the duties of citizenship rest upon all, and that no one in this republic can ever ignore those duties and yet claim to live an ideal life. This may be conceded. But there are special obligations resting upon the profession, and this because of its prominence in public affairs. That prominence demands not alone the ordinary duties of citizenship, but also higher and special duties. The lawyer may not content himself with saying that he attended the primaries and there as well as at the election voted in response to his convictions. He must never forget that his local prominence gives importance to his views

and that his official recognition throws higher responsibilities. While acting for the people, certainly no less fidelity, courage, and wisdom are required than may be called for by an individual client. Indeed, when the possible outcome of his actions rises before him, the true lawyer will respond with a devotion, than which nothing can be more supreme and controlling. He is not simply vindicating one individual. He is prescribing the rules by which the rights of multitudes for years may be determined. On his actions may hang the weal or woe of communities, nay more, even of the nation itself. He who truly loves his country, rejoices in its past, and looks forward hopefully to all that it may yet be and do, must assume the burdens of legislation with a solemn sense of responsibility, or be numbered among the unworthy. That this republic has prospered so wondrously is evidence that the lawyer has not been found faithless in the past.

But aside from this responsibility is that which attends the administration of justice. Bench and bar are all of the profession. There are some lawyers, it is true, who regard the judge as the only representative and agent of justice, and themselves as free to act in any manner, worthy or unworthy, which they think will be of profit. But the ideal lawyer never forgets that he is an officer of the court, and that he as well as the judge is responsible for the just outcome of every trial. It has been well said that we are all workers on the loom of time, fashioning the fabric of civilization. The humblest as well as the highest has his shuttle and runs his thread into and through the fabric. And as we look upon the fabric of our American civilization in this morning of the twentieth century, we may well be proud of its splendor. To the thoughtful mind, nothing in the material world can compare with it in richness of beauty. But with that beauty it will crumble and fade like the civilizations of ancient times unless through all its warp and woof there run the golden threads of universal, equal,

and exact justice. Beneath the fabric the weakest must rest in perfect security, and the strongest must never dare to break a thread. These golden threads it is the special work of the profession to run, and the ideal lawyer's threads will be as pure and clean as the sunlight, and stronger than the wildest passions of the most gigantic enemy of social justice.

I noticed in the papers a prediction, said to have been made by a distinguished lawyer of Chicago, that in eight hundred years there would be no lawyers. Prophecy is a lost art, and eight centuries are a long time for measuring the results of acting social forces. But from the lessons of the times I venture the prediction that at the end of the eight centuries the lawyer will not only exist, but be nearer the summit of social life than to-day. Criminals will be found, for that day beheld by the Seer of Patmos in which the new Jerusalem shall descend out of Heaven from God, adorned as a bride for her husband, will even then be a far-off day. As civilization with its marvelous inventions and great achievements advances, business and social relations will become more complex, and the wise, close student of the law will ever be sought by the most honest of men for advice as to their respective rights and obligations. Legislation, necessarily adjusting itself to the varied conditions of life, will require the most carefully trained minds. International relations, now so often settled by force, will be determined by the law. Right rather than might will be the rule, and he who by his study and training can most fully respond to the needs of the individual, the public, and the nation in these respects, — in other words, the cultured and able lawyer, — will be given the chief place in human life. And I may add, he only will be recognized and welcomed who carries into the performance of these duties that high moral character which I have given as the first element of the ideal lawyer.

So I sum the matter up with the state-

ment that the ideal lawyer will be thoroughly honest in all his relations to individuals and the public; that he will be a constant student; that he must possess brain power and common sense; and that he will never forget that he is a citizen, and that the weal or woe of the public depends largely on his loyalty to high ideals.

Does any profession appeal more strongly than that of the lawyer? The minister speaks for the life beyond. The doc-

tor cares for our bodies. But the lawyer takes social and business men as they are, and strives to adjust their actions to the present wellbeing of all. Truly, without disparagement, I may claim for the profession to which I have given fifty years of constant devotion, that it makes high appeal to every brainy, honest young American; and add that to the great roll-call in the last assize the response of the ideal lawyer will be, Ever present and on duty.

SOME UNPUBLISHED CORRESPONDENCE OF DAVID GARRICK

EDITED BY GEORGE P. BAKER

[In June, 1899, a collection of some sixty-six letters and MSS. of David Garrick was offered for sale at Sotheby's Auction Rooms, London. The material had been collected by William Wright, a racing man, who, having the fad of extra-illustrating, had gathered for that purpose this collection and many other letters, some of them not concerning Garrick. Nearly all the letters and MSS. of the set, and a number of others by Garrick offered at the same time, were bought by Mr. J. H. Leigh, owner of a rich collection of theatrical portraits and memorabilia. Originally it was his intention to use his purchases for extra-illustrating, but as soon as their unusual value became apparent, he decided to keep the letters and MSS. together, and, when urged to print them, very courteously put the collection at the disposal of the editor for such publication as he should think best. The letters interestingly fill gaps in Boaden's huge and inept *Private Correspondence of David Garrick*, make important corrections in the biographies of Garrick, and throw much light on the man himself. In these two articles some forty letters and MSS. are printed, and for the first time. Of the remaining letters and MSS. in the collection, but not here reprinted, two letters have already been printed by Boaden, two bits of verse are already known, one letter concerns Garrick only indirectly, and the rest of the letters deal with unimportant business or social details. For the purpose of serial publication in the *Atlantic* a few letters have been omitted, as well as the numerous footnotes, biographical, bibliographical, and elucidative, which have been prepared by the editor. These will be reinstated when the letters are issued in book form. Defective places in the MSS. have been filled, but always in brackets.]

I

THE MAN AND HIS FRIENDS

"That young man never had his equal, and never will," cried critical Alexander Pope, on first seeing David Garrick act. Certainly the success of this young man of twenty-five was phenomenal. When he had had no more experience of the stage than one or two half surreptitious London

performances and a brief summer season at Ipswich, he made his London début at Goodman's Fields Theatre, hitherto unsuccessful, and three or four miles from the fashionable centre of the town. How could he hope that his acting should at once set the town astir? Yet that is what his Richard III, first acted October 19, 1741, did. His insight, honest methods, his humor, his power, — in a word, his genius, — were more and more steadily

acclaimed as the season advanced. His second year of acting found him at Drury Lane, a favorite of the best, intellectually and socially, in London. By the autumn of 1747 he had become one of the managers of Drury Lane; by 1752, when he first crossed to the Continent for a vacation, he had become personally known to the artistic world of Paris. In brief, from 1741 till his death in April, 1779, honored and even sincerely mourned, he was one of the foremost figures of his time.

He was, too, one of the busiest, for not only must he act his many parts each season, — sometimes as many as one hundred, — watch over the business interests of Drury Lane, train young actors and actresses, sit for innumerable portraits, thread his way through a maze of social obligations, and read the piles of manuscript plays submitted to him, but he chose to tinker many of these plays, as well as to write plays of his own, and to turn out much occasional verse, — not merely prologues and epilogues, but epigrams and congratulatory or controversial stanzas. In addition, in those days when each man wrote his own letters, he was a voluminous correspondent. In the South Kensington Museum is a collection of some 2200 letters to and from Garrick, and these can be but a part of his correspondence, for poor indeed is the collection of autographs which has not something of his.

So varied were his powers, so mercurial was his temperament, that he has been a difficult subject for his biographers, and the portrait of him acceptable to a critical yet sympathetic student of his time remains to be drawn. His latest biographer, Joseph Knight, says of him, in closing his *Life*: "A curiously complex, interesting and diversified character is that of Garrick. Fully to bring it before the world might have taxed his own powers of exposition." Naturally, as a result of this complexity, many in his own day, and since, have failed to understand him; naturally, too, his great success made him intense enemies. Consequently he

was not only directly vilified, but more insidiously attacked with the anecdote which told, not what his enemies knew to be true, but what they wished to have believed true. As a man he was, of course, said to be jealous, parsimonious, a toady to rank and title; as a manager, uninterested in the development of the drama as drama, arrogating to himself all the best lines, hard to his actors, etc., — in fact, guilty of the whole list of sins, in each decade, charged up by enemies against the popular actor or actress. These accusations against Garrick the letters of the Leigh collection do much to refute.

Before Garrick settled down to his life-work, he restlessly considered several means of winning his livelihood. The chief plan was the establishment, in 1737, with his brother Peter, of a wine business. David was to manage the London end, in Durham Yard, and Peter the business at Lichfield, the home of the Garricks. The Yard was near Drury Lane, and the associations were those most likely to foster the love of the theatre which showed as early as the age of ten, when, with a company of his playmates, he gave Farquhar's *Recruiting Officer*. Fitzgerald reports Garrick as saying that all that kept him from going on the stage was the pain he knew the step would mean to his mother. If, as his biographers report, she died very shortly after her husband, in 1737-38, this could not have been the only check, for the final step did not come till 1741. The fact is; the following letter shows that his mother did not die till 1740, probably not long after the date heading the letter. It is significant that the following spring shows Garrick producing the rough draft of his farce *Lethe*, and acting at St. John's Gate in Fielding's *Mock Doctor* and a burlesque of *Julius Cæsar*, and that the following summer brings his Ipswich experience.

The words, "I should be glad of some orders," of the last line of the postscript show that there was another incentive besides an instinct for the stage to force Garrick into acting.

Sepbr. ye 4th. 1740.

DEAR PETER.

I have receiv'd Giffard's Note safe, & he returns his Thanks & will pay you ye Expences You have been at when he sees you. Mr Hassell's shew'd me Yesterday a Letter from his Father wherein he mentions his having pa[id] You ye Money I lay'd down for him, if It is pay'd I must desire you to Send Me up a Bill asoon as possible, For Cash is rather Low & Brounker wants his Money, pray let me have It asoon as possible. I am very uneasy till you send Me a particular Acc't of my Mother; I hear by Severall hands she is in great Danger, pray my Duty, & I desire nothing may be conceal'd from Me. Doctor James is come to Town for good & all, I [hope] he'll do very well. pray My Services [to Mr.] Nadal's Family, Love & Services to Brothers & Sisters & believe me

Dear Peter

Yrs. sincerely

D. GARRICK.

The Ale I have receiv'd safe. ye Carriage come in all to about 11 shillings I believe I will¹ prove good.

I should be glad of some Orders.

Much mystery surrounds the origin of Eva Maria Violette, whom Garrick married on June 22, 1749. One story says she was "the daughter of the Earl of Burlington and a young Italian lady of position, after whose death in Florence she was compelled to take to the stage as a dancer for a livelihood. Her father had, it is said, looked with care after her education, but the money he forwarded for her use had been misapplied by his agents. As a means of getting her near him, he used his influence to secure her a London engagement, and then induced his legitimate daughter, subsequently the Duchess of Devonshire, to accept her as a companion." Another story "represents her

¹ Probably *it will*. The two words are run together.

as the daughter of a Viennese citizen, called Veigel, a name for which, at the request of Maria Theresa, she substituted that of Violette, the name of Veigel being a *patois* corruption of Veilchen, a violet. She was, however, unfortunate enough to attract the eye of the Emperor, and was hurriedly dispatched to England out of his way." What is certain is that she was so skilled a dancer on her arrival in London in 1746 that Walpole spoke of her as the finest in the world; that she became the fashion; that she was admitted to the best houses; and that the Burlingtons especially patronized her, Lady Burlington waiting for her in the wings when she was on. The story goes that Mlle. Violette saw Garrick act and fell so desperately in love with him that she became ill. The doctor summoned discovered the real situation, and, putting the case as a matter of life and death won the reluctant consent of Lady Burlington, who had designed to make a titled alliance for the girl. Clearly we have here the germ of the story which in various languages has been given dramatic presentation, and is best known as Robertson's *David Garrick*. Whatever the beginning of the affair, Garrick pressed his suit with ardor, some accounts asserting that once he even disguised himself in woman's clothes in order to elude the watchfulness of Lady Burlington. That he was much in love is shown not only by the letter which follows but by all the many years of perfect companionship which ensued. The following letter certainly shows that Garrick had no memories of serious opposition from Lady Burlington — *pace* the biographers — and that she was so well satisfied with the match that she evidently had been addressing him as *gendre* and *beau-fils*. Probably these terms are not to be taken too seriously, or they will go far to establish the relationship alleged between the Violette and Lord Burlington. The letter certainly favors, in its "our Mother at Vienna," the Viennese origin. It is a particularly characteristic letter of Gar-

rick in his gayer mood, and shows how thoroughly he could put himself into his writing.

MERTON, Augst. 3d

I had this Day the Honr. of your Lady ship's Letter, dated from Londesburgh, which is the first I have been favour'd with, or at least that has come to my hand. I am afraid that from Chatsworth is miscarried if it was directed to ye Porter at Burlington House. I am sorry your Ladv makes no mention of a Letter of Mine wth Mr. Moore's Verses; it is something very Extraordinary to have two Letters lost in the space of a Week — what Answer can I possibly make to the Words, *being troublesome, & too importunate?*; this surely is so like Irony, that were I not well acquainted with your Ladv's goodness & Disposition, I should feel it much; Your Desire Madam of receiving News from Us, & about Us, cannot possibly equal our Joy & Pride in sending it: to give my Reasons for this Assertion I know would not be agreeable to yr Ladv & tho *You* are too apt to forget such things as I hint at, yet I hope *We* shall always have Grace enough to remember 'Em. I shall be very carefull for ye future how I declare My Sentiments of some certain Persons, & tho I have a right from Every principle of Morality, & by ye Laws of Gratitude, yet my heart shall burst rather than . . . overf[low] & Give offence — yet sure I may be permitted to transcribe a part of a Letter I receiv'd last week upon this Subject — A most worthy friend of Mine sent me his Congratulations upon my Marria[ge] & desir'd to know whether Your Ladv was for, or against Me; in his Reply to my answer, he hath these Words, (wch. I set down most faithfully) "I am not at all surpriz'd at Lady B —'s great and generous Behaviour to You, for I have a List in my heart (I am sorry I cannot say it is a long one) of those who, I imagine to have great Souls, and her Ladv (tho I have not ye honour of knowing her personally,) stands very

high in that List." You see Madam tho I am forbid to open my own Mouth on this Subject, I can speak from those of other People, which will be almost as troublesome; with this difference indeed, that I can bring proofs positive, of what they hold in Supposition only. Since I must not indulge Myself as I ought, & would do, upon this favourite topick, I hope I may have recourse to another, which is, that of praising Myself, *who, I myself (as Benedick says) will bear Witness is praise worthy* in this particular; I am so truly sensible of Every honour & Favour conferr'd upon Me, that even My Wife (belov'd as She is) cannot *ingross* my Heart & thoughts: when we are alone, (which we think our happiest Moments) Your Lp comes as naturally in our Conversation, as our Words: this is ye time we speak the Language of our hearts, & no Wonder that *You* make the chief part of our Conversation. I own I have some vanity, & when it is so deliciously fed with *Gendre & beau fils*, how is it possible to confine it in decent bounds? I know who must answer for ye Consequences I have taken care of ye Lettr to Mr. Keith, & I will likewise take care that our Mother at Vienna (for whom I have the greatest tenderness) shall be made happy with regard to her Daughter; did she know my thoughts, she would be very Easy; but as it is very natural for her to have apprehensions, so I shall look upon it as my Duty to quiet 'em, as soon as possible: I love & regar[d] Every Body that belongs to her, & I flatter Myself that they will have Nothing to be sorry for, but the Loss of her, which (I can feel) must be no small Matter of Concern to 'Em. — The Gardiner sent us a Pine Apple & Melon Yesterday; the first we made a present of, to our good Neighbour, Mr. Metcalf; we are very happy in his Acquaintance [ce] Mr. Blyth din'd with us some Days ago, & a very civil sensible Man he is, & without Priesthood & Bigottry [:] he seems pleas'd that Martin has left us, he did not like her, & gave us his reasons; he

would have been much oblig'd to Lord Burlington for some Franks—

There is a very odd Story goes about of the Miss Draxes (I don't know how to spell ye name) at Greenwich, & some young Gentlemen; the Family is in great disorder about it; it makes a great Noise in Town, & I am affraid (tho very unaccountable) that it is not merely Report. Does not your Ladp perceive what Lengths I run from your Indulgence to Me? not content with four full Sides of Scribble, I am beginning a fifth! & where my Impertinence will end I cannot guess; The Family of ye *Allets* won't try your Patience half so much as I shall; I have had a full Description of 'em from a very good Painter, & most sincerely wish it was in my Power to Ease you of such an intolerable Tax upon yr. Goodnature—

Your Ladp. knows by this, that we have receiv'd your two last Letters from Londresburgh; they came to us this Morn'g. at Breakfast, I could heartily wish you had seen the Sudden Change of our Faces, & of the whole (Economy of ye Tea Table—What we *think* was then to be *seen*, which surpasses Every thing we can *Say!* till we had read our Letters, & Each had read the Other's, more than once, the Breakfast was at a Stand! Mr. Maud's best Green cool'd in ye Cups, the Two Slices of Bread & Butter, (round the Loaf, and proportionably thick) which are cut & Eaten by Madam Garrick Every Morning, lay neglected & forgot! Mr. George who had been out shooting & ready to Eat his Fingers, sat with his Mouth open; till finding no probability of our returning soon to what he lik'd better, feloniously purloined one of the Lady's Slices, which occasion'd such a Battle, that had not I interpos'd, poor George's head & the China had Suffer'd—however, as we have very little Malice among us, Matters are reconcil'd, & ye family is at peace.

You see Madam what danger there is in *overcharging us with Joy*, (as Shake-spear terms it); we are transported with *one Letter*, & out of our Wits at two

— I cannot think the Miscarriage of that to Me about ye Verses, is owing to any Neglect at Burlington house, I am affraid It was very *awkwardly* put in at Chatsworth; I live in some hopes to see it yet, tho it is a *tedious Letter* I will very good natur'dly take the trouble of reading it. I beg you would keep ye Verses, & I Wish I knew yr. opinion of 'em; they are much admir'd in Town by the beaux Esprits. the same Gentleman (Mr. Moore) has sent Mrs. Garrick his *Fables for the female Sex* very finely bound indeed, & in the first Leaf are these four Lines to her:

TO MRS. GARRICK

Fine Binding! and but little in 't!
No matter, 't is a Friend in Print:
The Cover's only for your View,
The Inside cannot tutor You.

I hope by this time the hurt receiv'd by the Two Accidents is well over; I have some fear for my Lord's Foot, & we all felt for your Ladyp's Eyelid—let my advice be follow'd, & It will hinder such Accidents for the future—If your Ladp. would amuse Yourself with a *Pen*, instead of a *Gun*, there would arise no Danger to yourself, & much Benefit to others, and if Mr. John Peters will be so kind to help his Memory by cutting of his Hair, or Mr. Knowlton will be so good to give his opinion of things himself, My Lord may live Many Years longer, & Numbers be the better for it.

I am glad yr. Ladp. approves of our Excuses to Lord & Lady Cobham, we have had other Invitations, & upon our not accepting th[em] we are told, Nothing but Chiswick will go down, & upon My Word they are in the right: we were going the other Night in Imagination to Londresburgh, & a Sweet Journey we had, *My Lady* was very near Desiring to make it real, but such Objections arose, that we were oblig'd to See It, only in the *Mind's Eye*. your Ladyp mentions in her Lett[r] something about Mr. Paysant & ye Gazette, I rec'd no Such Lettr. or Order, & Suppose it was Sent in the Unfortunate packet from Chats-

worth — Now for some News of very little Consequence — My Lord Radnor plagu'd our hearts to dine with him, we at last agreed (for we hate to dine from home) & he had invited the Parson's Wife to meet Mrs. Garrick — but such a Dinner so dress'd & so serv'd up in unscour'd Pewter, we never Saw; the Wine was worse, but made somewhat better by the dead flies, in Short, we were soon both sick & unsatisfy'd; & we rattled the one horse chair home as fast as we could, where we recruited our Spirits again, with a clean Cloth, two roasted Pigeons, and the best currant Pye in ye Kingdom, the county of York excepted. However My Lord was Extreemly civil, & mighty obliging in *his* way — There is a Report, which is believ'd by Many, that Lord Granville is got into the Ministry — Your Lp. will see by ye Enclos'd Prints, that a Much greater Man is attack'd upon his amours, — the little Savoyard Girl was certainly in ye forest: & it is confidently affirm'd, that she refus'd some Offers; she tells the Story & grinds her Musick for half a Crown in the purlieus of Covt. Garden — The other Print, is a second & more Accurate Description of Miss C——'s dress, some say laughingly, that this is publish'd by herself, to vindicate her Decency from false Imputations; the Gentleman talking to her in ye Domino, may be known by his Hat — what shall I now Say, for Sending yr. Ladp. such an incoherent Medley, such an unconnected illwritten Jumble of trifles; to return your Ladp. Counters for Sterling is no great Proof of my Modesty — I pay wt I have, & am happy they Will be receiv'd — I would write My Lettrs better, but a lame thumb, & a natural Carelessness hinder Me — however I shall be contented if through all this, your Ladp. sees, what I really am,

Your most Dutifull

& Gratefull Servant

D. GARRICK.

At the time of the marriage it was reported that the settlement was £10,000,

the Burlingtons providing six and Garrick four. Fitzgerald notes that Mr. Carr, Garrick's solicitor, "seemed to say that Mrs. Garrick denied ever receiving money from the Burlingtons, adding that she had only the interest of £6000, which was paid to her by the Duke of Devonshire." His son married a daughter of Lady Burlington, so that the Duke might naturally have been a trustee for the settlement. "It would seem probable, therefore, that the money came from Germany, furnished by the same high interest which had sent her to England." The marriage settlement, in the Leigh collection, throws needed light on these conflicting guesses. It shows that though Garrick settled £10,000 on Mrs. Garrick he had previously received from Lady Burlington £5000 as Mrs. Garrick's wedding portion.

Not long after the early triumphs, Garrick began to figure among the literary men of the time. In the following letter to Samuel Richardson, acknowledging the present of the three volumes of *Clarissa Harlowe*, Garrick's phrase at the opening of the third paragraph seems to thank the author for some compliment paid him in the third volume of the novel; but as none appears in it, he must mean merely to thank Richardson for the compliment which the present means. The letter is especially interesting for its evidence of one weakness from which no apologist can probably free Garrick, his morbid self-consciousness that kept him throughout his life far too alert for what the world might think or say of his actions. But, after all, that is the price which nearly every actor must pay for his endowment of double consciousness, the one creating, the other ever critically guiding by instinct and by closest observation of effects produced on the public.

Monday Decbr. 12th 1748

DEAR SIR, —

Give me leave to return you my thanks for the three Vols. of *Clarissa*, & to confess to you how asham'd & sorry I am,

that I have not seen you for so long a time.

I would not have you imagine, I am so sillily ceremonious, to insist upon seeing you first in King's Street: I hate such formal doings; nor indeed am I so little Self interested to debar Myself the Pleasure of seeing You because you are too indolent to come to Me —

The honour you have done Me (& I do most sincerely think it a great one) in yr. last Volume, has flatter'd me extremely; and had not a Visit from Me immediately [on] the Receipt of Your present, appear'd m[ore] the Effect of your favours, than my Friendship I had seen you last Week; but as I ha[ve] now kept from you a decent time, I will wait upon you soon to thank you i[n] Person for your last good Offices to Me

I am

Dear Sir

Yr most Obedient

humble Serva[nt]

D. GARRICK

Early in 1766, Samuel Foote, probably the cleverest mimic of his day, met with an accident which seemed at first likely to incapacitate him as an actor. Visiting at Lord Mexborough's with the Duke of York and a party of men of rank, he foolishly boasted that he could ride as well as most men he had known. Of course, he was given a chance to show his skill, and on a particularly mettlesome horse of the Duke's. It promptly threw him with such violence as to fracture one of his legs in two places. Amputation became necessary. Later, however, he became so expert with his cork leg that it in no way interfered with his career.

Though at the time of the accident Foote was manager of the Little Theatre in the Haymarket, formerly he had been a member of the Drury Lane company. There he had learned that his bludgeon wit could make Garrick acutely miserable, and had often delighted to make him writhe. Indeed, it is to him that we owe most of the stories of Garrick's

stinginess. Nevertheless, when Foote met with the accident, Garrick at once wrote in the kindest manner, saying, "Should you be prevented from pursuing any plan for the theatre, I am wholly at your service, and will labour in your vineyard for you, in any capacity, till you are able to do it so much better for yourself." And he signs himself, "with warmest wishes for your recovery, Your most sincere friend and humble servant." Foote's answer to this seems to have brought another kind letter from Garrick, for Foote writes this very friendly reply on March 2, 1766. Yet Dr. Kenrick, the most diabolical of Garrick's detractors, dared in some verses to make Garrick refer to this very accident thus: "Curse on his horse! One leg, but one to break."

Mch 2.

DEAR SIR.

Before I had the favor of yours I had discovered the Blunder with regard to My Letter it is transmitted to you by this Post. Davie's Letter was a noble present indeed, pray can you conceive what he means by the necessity he now supposes me under of growing speedily rich. if one could suspect so grave sententious and respectable a Character of the Vice of Punning I should imagine his insinuation to be that now I have but one leg it won't be so easy for me to run out, but here perhaps like Warburton on Shakespear I have found out a meaning the Author never had.

I was ever of opinion that you would find the Bath Waters a Specific. Sir Francis Delaval and Lady Deb Stanhope are particularly happy that you have Chosen this time, for say they Cannon park is between the two Roads to Bath, Andover, and Newberry, to Bagshot Basing Stoke Overton then four Miles to Cannon Park where you dine and lye then six Miles to Newberry and so on I wont tell you what my Wishes are upon this Occasion nor indeed any body here, for ever since I have been ill they have

refused Me every one thing that I have lik'd, I thank you for your Comedy Lady Stanhope has seen it and is Charmd, but I am determind not to look at a line, till I am quite out of Pain.

You will have this Letter by Capt Millbank who is call'd to Town by an Appointment in Pye's Squadron for the West Indies; I think I am something better than when I wrote you my last tho I have not been free from Pain one minute since my Cruel Misfortune, nor slept a Wink without the Assistance of Laudanum. the People below expect to see you on Wednesday — you must allow for and indeed allmost decypher my Letters, but then consider my Dear Sir thirty days upon my Back: &c &c &c. I assure you it is with great difficulty, and many shifts I am oblig'd to make to be able to scribble at all. little Derrick will give the Etiquet of the Bath, and be exceed-^{in[g]}ly useful. . . . I am quite exhausted, God Bless you Sir

SAMLE FOOTE

Cannon Park, Mar 2d

Between September, 1764, and April, 1765, Garrick was on the Continent, where, especially in Paris, his reception was a triumph. "Actors, dramatists, artists, were all carried away by his vivacity and charm. A record of his friends is a mere list of the celebrities of Paris." What is more remarkable is that Garrick, even in his exceedingly busy life, managed to keep up many of the friendships made at this time, writing in fluent if not always perfect French to his friends. Among these friends was Préville, of the Théâtre Français, of whom Garrick wrote from Paris in 1765 with almost unqualified enthusiasm. "He is rather a little man but well made; of a fair complexion, and looks remarkably neat upon the stage. . . . His face is very round, and his features when unanimated by his *vis comica*, have no marks of drollery. He is, though one of the most spirited comedians I ever saw, *by nature* of a grave cast of mind; and . . . he is a man of parts independent

of the stage, and understands his profession thoroughly. . . . It is no small honour to Préville to say that he is always out of his sphere when he is out of nature. However, play what he will, he has such a peculiar pleasantry, that it must be agreeable to the generality of spectators. No comedian ever had a more happy manner in saying little things, but made capital by his comic power and excellence in pantomime — his genius never appears more to advantage, than when the author leaves him to shift for himself; it is then Préville supplies the poet's deficiencies, and will throw a truth and brilliancy into his character, which the author never imagined. In short, he is not what may be called a mere *local* actor, whose talents can only give pleasure at Paris; his comic powers are felt equally by Frenchmen and strangers: and as there are particular virtues which constitute a man a citizen of the world, so there are comic talents, such as those of Préville, which make him a comedian of the world." (Boaden.)

The incident referred to by Garrick in the opening paragraph of the following letter has often been told to illustrate his care for detail: "Returning on horseback with Préville from the Bois de Boulogne, Garrick said: 'Let us both imitate drunkenness.' This was done while passing through the village of Passy. Not a word was spoken, but the village emptied itself, to see two intoxicated cavaliers. Young folk derided them, women cried out for fear they would fall from their horses, and old men shrugged their shoulders in pity, or burst into laughter, according to their temperaments.

"How have I acquitted myself, O Master?" said Préville, as they issued from the village. 'Well, very well,' said Garrick; 'but you were not drunk in your legs.'"

LONDRES Janvier 7e. 1775

Ne m'avez vous pas oublié cher Cam-
pagnon en ivresse? n'avez vous pas oub-

lié nos expéditions romanesques sur les boulevards, quand les tailleurs de pierre devenoient plus pierre que leurs ouvrages En admiration de nos folies ? — si je suis Encore Assez heureux d'avoir une place dans votre memoire permettez moi de vous recommander le fils de mon Ami particulier, pour avoir le plaisir de voir le grand favori de Theatre dans son propre Caractere.

Aije assez d'interet avec vous, de vous solliciter pour votre permission et amitié de vous voir tems en tems sur le theatre ? — si en retour, vous voulez m'envoyez une demi douzaine de vos amis les portes de teatre royal de Drury Lane, et de ma maison seront aussi ouverts que mes bras de les recevoir — faites mille et mille complimens a Madame votre femme de la part de Made Garrick et de son Mari — je suis avec le plus grande consideration pour vos talens rares, et vraiment dramatiques

votre tres humble

Serviteur et ami

D. GARRICK.

Excusez je vous prie que j'aye envoyé mes regards (et services) dans le plus mauvais français.

Hannah More once said of Garrick: "I suppose he had more what we may call particular friends than any man in England." One of the perfect friendships to which Garrick could look back as his life closed, was that of thirty years with the Rev. John Hoadley. A group of six letters of Garrick to Hoadley in the Leigh Collection show that in 1746 it was still in the stage of "Dear Sir" at the beginning of the letters. Four of these six letters antedate the first of many letters by Dr. Hoadley printed in Boaden, and all are by Garrick. John Hoadley and Benjamin were sons of Bishop Hoadley, the famous controversialist, who is more than once mentioned in the letters as "The Bishop." Both the sons had a strong liking for the stage. Benjamin's *The Suspicious Husband* is often ranked with Cibber's *Provoked Husband*, Col-

man and Garrick's *Clandestine Marriage*, Goldsmith's *She Stoops to Conquer*, and Sheridan's *School for Scandal*, as the five significant comedies of the eighteenth century. John's fondness for things theatrical lasted with his life, and his letters are always full of suggestions for new plays or adaptations of old ones. It is said, so great was his fondness for plays, that no visitor could be long in his house without an urgent request to act in something. When Sir Walter Scott applied the name Rigdum Funnidos (a courtier in Henry Carey's farce *Crononhotonthologos*) to Ballantyne, the publisher, he described him as "a quick, active, intrepid little fellow, full of fun, merriment all over, and humorous mimicry." Garrick had evidently much the same picture in mind in applying the name, in the first of the set of six letters, to John Hoadley, for his letters to Garrick show that the description fitted him. The delightful combination in him of hard sense and sentiment is admirably shown by the following from his last letter to the actor, dated February 22, 1776: "I hear the Poet Laureate [Whitehead] has lately offered you a comedy, which you refused. I suppose, duller as he grows older. I hear it had great merit, but you did not care to hazard it; particularly objecting to a character as unnatural, of a man who marries for love, and afterward wants to get rid of his wife. I take for granted his management had made it unnatural; for there cannot be a character more in nature or more frequent. It is seldom that men who marry for love have much more in their eye than the *person* of the lady, which is not foundation strong enough for a very lasting superstructure — or the opposition he meets with commonly from parents, etc. makes him more obstinate and resolved to carry on the siege — or, etc. You will say I write this with no very good grace when I tell you, yesterday (Ashwednesday poor Ben's birthday too) we two poor souls had been married forty years, and agreed we would do the same the next morning. And yet

think I married for love, as I never heard of fortune's being concerned in the matter." (Boaden.) Hoadley died some three weeks later, on the sixteenth of March.

Year in, year out, Hoadley watched with affectionate interest Garrick's career, sending him cordial, intimate letters constantly. Not even unfavorable comment on his plays, the rock on which many a pleasant relationship for Garrick split, made him waver for an instant in his loyalty. The first of the series in the Leigh Collection shows Garrick in boyishly exuberant anticipation of a visit to the country home of Hoadley, at Alresford, Hampshire. From the succeeding two letters, dated in 1746, and referring to the visit as just past, the first clearly belongs to 1746.

DEAR SIR,

I receiv'd yr Wellcome & Letter with ye Pleasure Every thing from you will allways give Me —

Your Invitation to Old Alresford I most cordially Accept of, & the little-ingenious Garrick, with the ingenious little *Hogarth*, will take the opportunity of the plump Doctor's being with you, to get upon a Horse-block, mount a pair of Quadrupeds (or One if it carries double) & hie away to the Rev'd Rigdum Funnidos at ye Aforesaid Old Alresford, there to be as Merry, facetious Mad & Nonsensical, as Liberty, Property & Old October can make 'Em! huzza! I shall settle the whole Affair with yr. Brother tomorrow & shall wait his Motions: I am, in raptures at the Party! huzza again Boys! shan't I come with my Doctor? Yes, he gives me the potions & the Motions? Shall I loose my Priest? my Sir John? no, he gives me the proverbs & the No verbs. My cares are over, & I must laugh with you: your French Cook is safe & sound & shall come with Me; but pray let us have no Kickshaws. Nothing but laugh & plumb pudding for

Yr. Sincere Friend

& Merry humble Servant

D. GARRICK.

from the Barber's Shop
up two pair of stairs this — Day of July
I am oblig'd to you for yr Wishes
& prayers, but pray let us
have some Beef & pudding when we come
to see you.

The last letter of the group, though unaddressed, from its contents was evidently meant for John Hoadley, for it chiefly concerns manuscripts of Benjamin Hoadley, who had died in August, 1757. The important part of it is made clearer by a letter of John Hoadley dated by Boaden April 28, 1771.

"My good sister tells me, that when you returned her a former packet, (of the 'Contrast,' &c of poor Ben's) you accidentally retained another piece of two acts: one act, as I believe, in the Doctor's hand, and the second in mine, foolishly supplied by me. The 'Country Burial' it was, altered by Ben. . . . You will be so kind as to look over your old stores, and if her surmise be true, to return it to her. You may perhaps find things of mine, as the 'Beggar's Garland,' all in songs, which you took from me at Bath; and the story of the Sea Captain's discourse with the Doctor of Divinity, about giving his black boy *Frank* Christian burial, in a letter; which you promised to return but forgot it again. Madam Charles Street has in many things shown herself so mercenary, that I cannot help thinking she would be glad to pocket a little money by any of the Doctor's even little things, after I shall be gone — to Heaven. I have taken good care that nothing of mine shall ever appear, and nothing where I have been concerned; but she seems to have a mind to claim a property in things of that sort, as the 'Contrast,' the 'Widow of the Mill,' the 'Country Burial,' — and I think that must be with some such view. — Mun! Budget!

"I dare say you will continue to be, as you have truly shown yourself already, an honest guardian of his fame as long as you live."

This, Garrick's answer, makes clear also certain passages in a letter of Hoadley's of September 1, 1771, printed by Boaden.

HAMPTON May 9th 1771

MY DEAR FRIEND.

As I was deaf, Gouty, flatulent, dull &c &c &c in London, I chose to defer answerg your very kind letter, till I return'd to Hampton & rigdum funnidos: I was operated upon this Morning for a Noise in my head, it has had a surprising Effect, for my disorder is gone, & my Spirits are return'd — Ergo, I sit down to gallop over a few pages of Nonsense to Thee, my dear Dr, who art ye Genius of Mirth & good fellowship—so have at Thee old Boy:

I have been really blighted with ye Spring, & till the Warm Weather came to make me bud a little with ye trees, I was resolv'd to send no cold-blooded prosing to Thee my Merry Wag of ten thousand! I am tight in my Limbs, better in my head, & my belly is as big as Ever — I cannot quit *Peck & Booz* — what's Life without such sack and sugar! my lips were made to be lick'd & if the Devil appears to me in the Shape of Turbot & Claret, my Crutches are forgot, & I laugh & Eat. . . . a Dr. Cadogan has written a pamphlet lately upon ye Gout, it is much admir'd & has certainly It's merit — I was frightened wth it for a Week; but as Sin will outpull repentance when there are passions & palates, I have postponed the Dr's Regimen till my wife & I are tete a tete, & so make ye Mortification as compleat, as her father Confessor would prescribe to her in Lent — I rejoice that you wept at ye West Indian — there is great Merit, & for ye faults, he shall mend 'Em in his next play, which he certainly will do, if he goes on improving as he did from ye *Brothers* (his first play) to his last, the *West Indian*: I shall tell him of yr. Criticisms & I'm sure he will profit by them: Our Friend Keate is very proud of his Manhood; & Struts before Me as a Game Cock before a Capon — I lower my flag

to him, & tho I can not hate him for his fecundity I do envy him a little — but *poor Double's dead — how are score of Sheep with you?* Keate (ye devil take him) is still harping upon Semiramis — he hints that alterations are made — Your hints, I suppose, of making the Language more poetical — that is, more inflated — & so to mend ye Matter, the poor Consumptive, feeble Brimstone is to have a complication of disorders, & die, & be damn'd with a dropsy — *here's fine revolution!* — now to be serious, & very serious for ye Cause demands it, & from us, my dear friend, in a more particular manner; I mean the reputation of our dear Brother, & beloved Friend the Doctor — I would not for all our Sakes & for his Memory, that any thing unworthy of him should be expos'd, let who will be ye gainer; Madam Charles Street would be Madm damnable of thrift-street if she, without a proper feeling of his Worth, would barter his fame for a few Counters, *for so much trash as may be grasped thus?* I cannot bear the thought of it, & I here promise & vow to keep the garland, which so justly has surrounded his dear honour'd head, & in ye placing of which I assisted with my little finger, from any blights of Envy, or Avarice — lay thy hand, my Worthy old friend, upon thy honest heart, & swear ye same — my Eyes are full of Water, while I write to you, but this is not ye token of Weakness, but resolution — now to yr Matter — I return'd *Every* paper I receiv'd from Mrs. Hoadley to her again; the *Country Burial* among ye rest, which if I remember right, she wanted to, shew to somebody. I must desire that this Matter be immediatly clear'd that we may have no Mistakes — if She still persists that I have it, I will begin a Search that will end in Nothing, but what I have said before; indeed (my dear friend) you should stir a little in this business, have not you an undoubted right, to be consulted in these things *you* so well understand, & *She* so little?

If the *Contrast* could be made an En-

ertainmt for ye Stage I'll purchase it, & bring it upon ye Stage wth all my heart, or give ye usual benefits — but let us consult together, get ye Stuff into *Your* hands, & let *his* Friends determine.

I have sent you some of ye things you mention, wch were here—the *Beggar's Garland* is in London—that shall be with you soon too—I am vex'd about ye *Country burial*, but I will begin my Search; in ye mean time pray write to her & me.

Your Ever affectionate

D. GARRICK.

Love from me & mine to you & yrs

Some of Garrick's best friends, especially in his later days, were women. Lady Spencer, Mrs. Montague, Mrs. Clive, Miss Cadogan, as letters to follow make clear for the first time, and Hannah More, were in different ways tried friends. There are two letters to Miss More in the Leigh Collection.

On a visit to London, circa 1774, Hannah More writes to a friend: Garrick is "not well enough to play or see company—how mortifying! He has been at Hampton for a week. If he does not get well enough to act soon, I shall break my heart." Very shortly after this Miss More not only saw Garrick act, but met him. He had seen a letter from her to a common friend, describing the effect upon her of his *Lear*, which made him eager to meet her. They were promptly brought together, and, discovering mutual attractiveness, began a lasting friendship. Each year Miss More visited the Garricks, meeting through them many of the notabilities of the day, and discussing with Garrick her verse and her plays. Of the last, her correspondence shows that *Percy* and the *Fatal Friendship* owed much to suggestions of Garrick. Indeed she says herself in regard to *Percy*, "It is impossible to tell you of all the kindness and friendship of the Garricks; he thinks of nothing, talks of nothing, writes of nothing but *Percy*. . . . When Garrick had finished his pro-

logue and epilogue (which are excellent), he desired I would pay him. Dryden, he said, used to have five guineas apiece, but as he was a richer man he would be content if I would treat him with a handsome supper and a bottle of claret. We haggled sadly about the price, I insisting that I could only afford to give him a beef-steak and a pot of porter; and at about twelve we sat down to some toast and honey, with which the temperate bard contented himself."

Some words in Garrick's hand on a letter of Miss More's, "Miss More alias the Nine," explain the name heading the next letter.

MY DEAREST NINE.

Ingratitude is the Devil my dear—said some Gentleman to his Lady upon receiving no thanks for a basket full of dainties—We have receiv'd a Hamper full, & no kind of Acknowledgments to our dear Friend at Bristol—the Pork was Excellent & so was ye Liquor we drunk your health in—no Matter for that—where is ye Letter say You, of ye real Correspondence—?—I should have written a dozen before this, for I like ye business, but I have not had a Moment to Myself—before this Week is out, you shall receive some Nonsense, & which I beg you will put into ye fire, if you find it, as I fear you will, very unfit Company for his female Companion.

Madam sends her love, she has been much troubled with a bleeding at the Nose & a frequent head-Ach, She Eats & Sleeps & grows as fat as bouncing Bess of Brentford.

We have had great uneasiness at the Death of poor Mrs. Thursby, My Eldest Niece is married to Capt'n Shaw, my Nephew David will soon be married to Miss Hart, & I am to pay the Piper—May all of your family that want husbands, get as good ones, as this Country affords, & I'll answer, Who'er the happy Men are, that they will get good Wives, & that is a bold word, as times go

— Love to all — in great hurry — Ever
Yours Most Affectionately
Hannah of all Hannahs

D. GARRICK

May 9th 1778.

Two letters to Mme. Riccoboni in the Leigh Collection fill important gaps in the correspondence of this Frenchwoman printed in Boaden, and the whole correspondence throws light on the interrelations in the eighteenth century of the sentimental comedy of England and the *drame larmoyante* of France. Marie Jeanne Laboras de Mézières, born in 1717, became the wife of Antoine François Riccoboni, best known for his *Histoire du Théâtre*. She is described as "beautiful, tall, with a well-made figure, black eyes, at once soft and expressive, and a countenance open and gay: her intelligence flashed out constantly in her conversation; and many graceful repartees by her were passed about." Her romance, *Lettres de la Comtesse de Sancerre*, 1766, she dedicated to Garrick. This and her later *Lettres de Sophie de Vallière* were published in England by Garrick's friend Becket. In 1768, as a letter in Boaden shows, she was full of enthusiasm for a scheme of making known to her compatriots the best English plays of the century. She wrote to Garrick, July 27, 1768, "It is not a mere whim that makes me wish for the plays of which I sent you a list. I am going to let you into my secret, for there is one. I am becoming weary of writing novels, right in the middle of that which I have half-written; distaste and boredom make me leave it there. Perhaps I shall take it up again. Meanwhile, to fill my time, I have undertaken, at the prayer of my publisher, a translation of your drama, that is of the new comedies. There have been many translations, but badly done. I shall put care into this work, and far from weakening the original, by slight changes I shall try to maintain the honor of that rascally nation that I can't help loving." She urged him to have written out for her

a list of the comedies, and only the comedies, acted at Drury Lane and Covent Garden during the past twenty years. Evidently obtaining these specimen plays was no easy matter, for on September 7 she again wrote to Garrick "In the course of an entire year not to be able to procure from London some twenty comedies! I might have had them from China. . . . Having nothing with which to make a second volume, I have stayed the printing of the first; it will appear in two months at the earliest. Perhaps you will not be as satisfied with it as your predisposition in my favor makes you expect. You will find the dialogue greatly altered; I warn you that I have taken terrible liberties. The two English authors will cry out at the ineptitude, the ignorance; they will say that they have not been understood. They will be right in London and wrong here. I have not pretended to correct, but to make their work more likely to please my compatriots." She then adds the words which specially call forth the praise of Garrick in the first of the two letters which follow. "My friend the taste of all nations accords on certain points: the natural, truth, sentiment, interest equally the Englishman, the Frenchman, the Russian, the Turk. But wit, badinage, the quip, the pleasantry, change in name as the climate changes. That which is lively, light, graceful in one language, becomes cold, heavy, insipid or gross in another; precision, accuracy, the sources of the charm no longer exist. That which would rouse a burst of laughter in France, might cause a howl in London or Vienna. Everywhere humor depends on nothing, and often that nothing is local. Usually those who make a business of translating have very little idea of these delicate shadings: consequently I have never seen an endurable translation." Such golden rules of translation are worth repeating and worthy the praise Garrick gives them.

Sept. 13th 1768.

I have this moment receiv'd a most

charming letter from my dear, amiable Riccoboni — You have really given so true & ingenious Account of national taste with regard to the Drama, that it would make a great figure in ye very best Collection of letters that Ever were written — Your letter, up on my Soul, has charm'd Me; & tho I am in the Mids't of bustle, & business, I cannot stay a single Moment without answering it — You may depend upon my sending immediately every Play, or dramatic piece as they are Acted, & before they are publish'd — but my dear good Friend, why will You talk of keeping an Account? Plays cost me Nothing & were they Ever so dear, You would overpay Me by the honour and pleasure I shall receive in your Acceptance of such trifles — no, no, my proud generous high-spirited Lady, we will keep no Accounts but in our hearts, and if you don't ballance the debt of Love & friendship you owe Me, I will use you, as such an ungrateful Devil ought to be Us'd — so no more of that —

I will not despair of seeing You some time or another at my sweet little Villa of Hampton; perhaps it will raise your curiosity ye more, when I tell you, that the King of Denmark came with all his Suite Yesterday to see my house & Garden, the Owner, & his Wife; you would think me vain should I tell you what he said, & I hope you will think me sincere, when I tell you that I had rather see You & yr friend there than all the Kings & Princes of Europe. Apropos of my friend the Chevr. de Chastelux: we have a proverb that says — *out of sight, out of mind*; I fear it is so with him; I have written to him several times, being in great Anxiety for his Life, but since his very honourable Accident, he has forgot all his Admirers on this Side the Water — tell me honestly in Yr next, what he says about Us. I shall make out, as soon as possible, a list of our best *Modern Comedies*: I will consider them well & give You some Notes upon them — You shall have the Whole next Week wth all Murphy's

plays — And so you don't like *Ranger*? You must know that the Author wrote the Character for my own (as he said) when I was Young; so don't take an Aversion to it, for positively if I can catch you in England I will muster up Spirits to Act ye Character over again to you, in spite of his very lively irregularities. I think you, & yr Companion have made a good Choice of the two Modern Comedies, — the Foundling (tho a little romantic) is something in yr Larmoyante way: Your Objection to *Faddle* is well founded; & it was so dislik'd at first by ye Public, that it had very near sunk the Play — Your Scheme of translation is a very right one, & Our Authors ought to thank you for making them palatable to the french taste; Your Ideas upon that subject are so very exact & Striking, that I would advise you, nay Entreat you, to enlarge what you have said to Me upon that head, & publish it, before your translation, by way of Preface — I am quite tir'd & so are You — My Wife sits by me, as jealous as the Devil, & asks me if I shall Ever have finish'd; however she pretends to love you still, & sends her warmest wishes with mine to you & yr Companion — so Heav'n bless you both, & love me, as I love you.

D: GARRICK

Later Garrick sent the desired list, only to be told that Mme. Riccoboni had all the plays he named, and that only Kelly's *False Delicacy* and Murphy's *The Deuce is in Him* would suit French taste.

The second letter of Garrick to Mme. Riccoboni apparently answers a letter of hers dated October 1, 1770, in which she writes him about sounding Arthur Murphy as to translating her *Lettres de Sophie de Vallière*, — then in process of composition, — regales him with an anecdote of Rousseau, at that time in Paris, and expresses her anxiety in regard to threatening war between England and France.

Novr, 20 1770

MY DEAR, AND VERY DEAR RICCOBONI—

I was upon the road from Bath when your most agreeable & delightful Epistle came to my house in London: this is the reason that you did not hear from Me ye next post: why did my amiable friend imagine that I should Scold, or be angry? does she feel that She merits my Anger? let her feelings be what they will, mine are all love, friendship, Sweetness, affection, & what not? — Mrs. Garrick who is sitting by me, (& who loves you as she possibly can love one, whom her Husband loves so much) desires that Every Warm Wish, & affectionate thought may be presented to you, which her friendly heart overflows with—now, my dear friend, I will finish this Love part of my letter with our best Compliments to your amiable Companion, & proceed to business—

Mr. Murphy, who is really much your friend, & burns to give you proof of his regard, is at present so much Employ'd in his profession of a Lawyer, & taken up With a great addition of business lately come upon him, that I fear, it will be impossible for him, to do that, which if it had come at ye time we expected it, would have been the highest pleasure to him—he has written to me, for I could not see him, that he begs to think a day or two upon ye Matter before he gives it up, but I fear tho his heart is warm in ye Cause, he cannot have time to Shew his friendship—therefore I must beg of you to send one of ye printed Copies to Me before you publish them at paris, & Becket & I will procure the best translator for yr work, had I *left ye Cursed Stage*, I would do ye business Myself—but indeed I am so hurried that I have scarce time to keep my Wife in humour, & say my Prayers—

I have so many friends that you must send to Becket 200 of ye [first] Copies, & I'll assist him in ye sale—the Sooner you send me ye Copy we are to translate ye better, pray let it be a printed one—I shall expect another letter with ye

approbation of my Scheme, or I shall be Angry indeed—just going upon ye Stage in the Character of Sr. John Brute an ill-natur'd, peevish Woman-hating Brute—do you think I shall do it Justice—

I love you Ever & Ever

D GARRICK

I hate ye thoughts of War & I dread It—

Mme Riccoboni's answer to this in Boaden opens with a swift sketch of Garrick too accurate not to be repeated.

"There you are; I recognize you my very dear and very obliging friend, Prompt as lightning, impetuously carried away by the force of your natural obligingness, you have cried to poor Mr. Murphy; *Quick, quick, the book is done, read it, translate it, let us print it!* he, calm, balanced, thought, reflected, said *Yes*, then *But*, and drat it! you write me before he has finished speaking."

Another of Garrick's most sparkling correspondents, if not the surest in spelling, was Kitty Clive, Clivy Pivy as Garrick liked to call her. For twenty years she had acted at Drury Lane to the delight of audiences and the alternating delight and despair of her managers, as she was minded to be good, or minded to be very exasperating and wielded her pen or her even more stinging tongue in defense of what her warm temper at the moment told her were her disregarded rights. After her retirement in 1769 she let Garrick, whom she had often harried with her tongue, see how much she admired him, and their letters are memorials of a hearty friendship resting mutually on admiration for sterling character and finished art. Mrs. Clive's amusing account, in her letter, of the adventure with a highwayman is very characteristic of the decade of 1770-80. So wretched were police arrangements about London that Walpole wrote four years before the date of Mrs. Clive's letter: "Our roads are so infested by highway-

men, that it is dangerous stirring out almost by day. Lady Hertford was attacked on Hounslow Heath at three in the afternoon. Dr. Eliot was shot at three days ago, without having resisted; and the day before yesterday we were near losing our Prime Minister, Lord North; the robbers shot at the postillion, and wounded the latter. In short, all the freebooters that are not in India have taken to the highway. The Ladies of the Bedchamber dare not go to the Queen at Kew in an evening. The lane between me and the Thames is the only safe road I know at present, for it is up to the middle of the horses in water."

Twickenham June ye 10 1778

A thousand — and a thousand — and ten thousand thanks to my Dear Mr Garrick for his goodness and attention to his Pivy for the care he took in making her friends happy — *Happy* that word is not high enough; felicity I think will do much better to express *their* Joy when they found they were To see the Garrick — whome they had never seen before — And yet I must tell you, your Dear busy head had like to have Ruin'd your good designe for you dated your note Munday four a Clock and to Morrow you said was to be the play — and pray who do you think set it righte — why your Blunder headed Jemy; I did not receive your letter till Wednesday Morning; so they was to set out for the play on thursday; but Jemy pouring over your Epistle found out the Mistake and away he flew to Mr Shirly's with your Letter and the newspaper from the Coffee house, to let the Ladies see the play was that day; this was between one and two Mrs Shirly ordered the horses to the Coach that Moment, and Dinner — Dinner — Lord they did not wan't dinner — and away they went to take up there party which was Gov Tryon Lady & daughter; every thing happened right they got their places without the least trouble or difficulty, and likd every Thing they saw — except the Garrick they did[n't] see Much in him —

you may revers it if you please and assure your self They Likd Nothing else, they think themselves under Such obligations to Me for my goodness to them, that We are all Invited to dine there to day where I shall give you for My toast.

have you not heard of the adventures of your poor pivy I have been robd and murder'd Coming from kingston Jemey and I in a post Shey was Stop't At half past Nine Just by Tedington Church; I only lost a little Silver and My Senses, for one of them Came into the Carrige with a great horse pistol to Search me for my Watch but I had it not with me; but your Jemey Lost his; he was ten times More frightened then I was but he denies it, says it was only for Me; however after we came home and had frighted Mrs. Mestivier we sat down to Supper and I dont know that I ever Laught More in My Life. I hope My dear Mrs Garrick is well, I will not say any thing about you — for they say you are in such spirits that you intend playing till Next Sepr

Adiue My Dear Sir be assur'd

I am ever

YRS

PIVY CLIVE.

We all joyn in our

Best wishes to Mrs Garrick.

Garrick, in a letter to John Hoadley in May, 1771, speaks of a recent publication on *Gout* by a Dr. Cadogan, but not as if he knew the author. William Cadogan (1711-1797), after study at Oxford and Leyden, began practice at Bristol. Later, when he had already won election to the Royal Society, he came to London, where he was very successful. He became a member of the College of Physicians in 1758. Besides delivering two Harveian lectures, in 1764 and 1792, he printed his graduation thesis, *De Nutritione*, etc., an essay on the nursing and care of children, 1750, and, in 1771, the treatise on *Gout* already mentioned. The book went through ten editions in two years, something which speaks more

for the prevalence of the disease than the contributiveness of the essay, for it has been declared "sound as far as it goes" but "not a work of any depth." Dr. Cadogan was a man of pleasing manners, strong good sense, and, as references to him in the letters show, of humor and a bent for teasing.

Writing from Garrick's villa at Hampton in 1777 Hannah More said: "Dr. Cadogan and his agreeable daughter have spent a day and a night here. The Doctor gave me some lectures in anatomy, and assures me that I am now as well acquainted with secretion, concoction, digestion, and assimilation, as many a wise-looking man in a great wig." In Boaden there are two letters by the "agreeable daughter," Frances Cadogan, one hardly more than a formal request for a box, the other an interesting letter, but not clear in its references without a letter in the Leigh Collection. The Collection contains twelve notes and letters to Miss Cadogan and her father, and as a set, they for the first time reveal another charming friendship of Garrick's last days. Slight as some of the notes are, they seem worth printing, so much light do they throw on the intimate companionship of Garrick with his wife, his volatile spirit even after he withdrew from active life, and a playfully tender friendship of the two Garricks with the young girl. The actor, William Parsons, in whose behalf the first letter was written, described as "a thin and asthmatical man, but a good comedian," survived to mourn Garrick at the great pageant attending his funeral in Westminster.

MY DEAR DR.

Poor Parsons we fear is in a bad way — he has desir'd me to recommend him to any Physical friend of Mine, that will as he terms it *see him at an Easy rate* — will you be so kind to me, & him, as to see him tomorrow Morn'g? & let me know his Situation: 'tis of great Consequence to us — What shall I say to you for my impertinence —? this I say —

when you want any of your friends to be *merry* send them to *Me*, & when I want any of *My* friends to be *well*, I will send them to *You*. done — pray see Parsons to-Morrow Morning —

yrs Ever & most
affecty.

D GARRICK

Parsons lives at No. 9
in Queen Street facing the
British Museum.

I have rec'd some sweet
Letters from yr Daughter

Perhaps the most noteworthy feature of the second letter, a single sheet written lengthwise on each side, is the gradual development from the formal *My dear Madam* to the intimacies of the last lines.

"My dear Madam I am sorry but My Box is Engag'd to day, the Dr. is the Cause that it is, having said to me, that it would not be in either of your Power to come to Drury-Lane before you go out of Town. Will you tell him that I dined out yesterday and was not the better for it. Adieu."

On the other side of the sheet is the following:—

"As you could go to the Play, why can you not come in *your night gown* and drink your Coffee & Tea at the Adelphi this evening? I am quite by Myself, my Husd. dines with Ld Mansfield but will come home time Enough to Kiss you. My Coach shall be with you about half after six. I take no Excuse — bring your work."

The next two letters, of uncertain date, explain themselves.

MY DEAREST DR

My poor Husd has been taken ill yesterday, and I shall not be happy till you come and tell me that he is in no Danger. As this is the day in which you are to be in Town, I will send our Coach to your house in the country where he will wait till you can come to Hampton; and if you cannot stay all night you shall be

carried home again at what hour you
Please God bless You and Yours.

Ever Yours

M: GARRICK

Hampton Tuesday 6:0 clock

July the 21 —

Thursday.

MY DEAREST SECOND

I write to you with my own hand that
you may know I am better —

Mrs. Garrick's impudence of sending
for Dr. Cadogan was unknown to me, &
Nothing but her great fears to see me in
such Agonies could have excus'd her —

I have got rid of two or three possess-
ing Devils & the great Devil of 'Em all
who has left me I hope Sulphur Brim-
stone & Sin but has taken the flesh &
Spirit along with him too — I shall be
well Enough to see you in a day or two
or three & Expect Banquo's Ghost to
appear in his pale-brown terrors before
you — I would not frighten you if I could,
but would always wish [to] give you a
little flutter — this is Sentiment & ye
only one, I have in Common with Boul-
ter Roffey Esqr.

Yours Ever & most
Affecty

D. GARRICK

This is ye first
letter of any length I have written
or attempted to write

Omnia vincit amor!

The references in the following letter
suggest that it was written in 1777, just
before the visit of the Cadogans to the
Garricks in which Hannah More met them
for the first time, and was lectured by the
Doctor. A letter to Hannah More exists,
dated 1777, mentioning the distich as if
recent.

Monday Night

MY MOST AMIABLE FRIEND

What a Charming Letter have you
written to Me? — all the Nonsensical
Prescriptions of yr most learned Father
could not have a ten thousandth part of

the Effect upon my animal Spirits as
Your sweet Words have: There's Magic
in Every Line — and Miss Hannah More
swears like a Trooper that it is ye best
letter in ye Language — We shall wait
for Sunday with impatience.

My Coach if you please shall meet you
half way or rather come for You at yr
own hour — so if you love me be free —
my horses are young & have Nothing
to do — but if yr Dr. will not suffer his
Cattle out of his Sight, they shall dine
with us, lie with us, or wt you will with
us, provided he will not abuse Shakes-
peare, & his loving Patient — in short you
are to command & we shall obey most
punctually — pray send a Line to ye Adel-
phi with your pleasure at full

Ever my dear Miss

Cadogan's

most affectionate

Friend & Serv

D. GARRICK

You will be glad to know that Mrs. Bar-
bauld late Miss Aikin wrote ye following
distich upon Miss More's shewing her my
Buckles my Wife gave her, which I play'd
in ye last Night of Acting.

Thy Buckles, O Garrick, thy Friends
may now Use,
But no Mortals hereafter shall stand in
thy Shoes.

A. L. BARBAULD.

The references to Lord Palmerston's
country seat in the next double letter and
the letter following it show that they were
written not far apart. The second letter
is more than usually marked by inexplic-
able references. Miss Cadogan's evi-
dent anxiety for the mysterious "young
man" is pleasantly suggestive of a love
affair, but he may be only a prosaic
brother; and just what Dr. Cadogan
had been saying in jest to draw out the
confusing sentence as to desertion is even
more cryptic.

My Dearest of all dears! we shall set
out for Hampton next Sunday which is
the 10th now whether we can be back on

the 21th is not in my Power to say; but my Ld & Master may. All that I can tell you is, that I shall be very sorry not to see you on the 21th I have done, I see your impatience to come at what follows — Ever your

faithful

M: G — K

MY DEAREST SECOND.

It was only this Morning at breakfast that the light of Conviction broke upon Me, as it did upon St. Paul, & I discovered for the first Moment to whom I was indebted for ye most charming imitation of Horace — O You Wretched Creature! & so you would not tell Me or my Wife? — how could you keep such delightful flattery a Secret, for it has doubled in value, since I know ye hand that administer'd it — the Moment we can return from Hampshire I will give you Notice, & will send the Coach for You — I hope we shall be with you soon enough to take you on yr Way to Farnborough & I hope we shall catch you & keep you at your return.

Ever & most affecty

Yrs.

D. GARRICK

Love to ye Dr.

I will write to You, from

Lord Palmerston's —

MY DEAR MADAM.

I must answer your most friendly affectionate Letter immediatly, tho you would Willingly excuse Me, & indeed, I am always ready to most of my Correspondents to lay hold of any Excuse to be idle — but were I flannel'd & muffled with ye Gout, tormented with a Worse disorder & roaring in my bed, I would say something to please Myself be the consequence what it would to my dear Second — I return the Young Man's letter, which is very Sensibly Written, but we have had Accounts as late as ye 6th of August, which gives a more favourable Account of Matters — I am afraid by what I have learnt here that, while

he is in ye American Service, and Lord Howe, Commander of ye Whole, He must remain as he is — for Lord Howe will not let any preferment take place even by ye first Lord of the Ad — y Without his Approbation — his Lordship is very jealous of that part of his office, & I hear, made it one of his Chief Conditions When he Accepted of the Command — however I will seek farther before I give up Anything, on which You & my dear Dr. have set Your hearts — pray let Your Worthy Father know that I feel in my *heart of Heart*, all the kind Expressions of his Love & Affection to Me. but My health would be of very little Service to me, if I was to purchase it at ye Price of his being shot for a deserter; unless indeed before the Cap was pull'd over his Eyes, He would repent of the manifold Sins he has Committed against the God of my Idolatry — Shakspeare! — *Him him!* He is the *Him!* — there is no other.

My Love I beseech you to all where you are pray tell 'Em We will call on our return to take a kiss & away — As there will be no Turkey-pouts & ducklings and the Weather too hot for pig, I shall make ye best of my way home — & tell 'Em likewise I have answer'd the precious Cicester Gazette for which I thank them most sincerely — Lady Bathurst will let Em know what a poor figure I make against such an army of Wits, Virtues, Youth, & Beauties, — We expect to leave this place in about 8 or 10 days —

My Wife sends her warmest Love — We are very happy here — a good host a Sweet place & warm Wellcome —

Most Affectionately

& trly yrs

D: GARRICK.

Broadlands near

Romsey-Lord

Palmerston's seat

Sept. 21st. 1778.

P S. —

Pray when you write to Miss Griffith let her know, if I could have answer'd her flattering Lines as they deserv'd she should have heard from Me, but I can-

not yet Write as I ought so she Must Accept my best thanks till I can have strength to mount my Pegasus. —

The effect of letters picked up as occasion served must necessarily be somewhat scrappy, but do not these from the Leigh Collection make clearer, not the variety in friends of Garrick, for that was clear enough already, but his variety in friendship, his readiness to serve, his thousand little gayeties, in brief his charm? Reading them, does not one understand better Hannah More's, "I can never cease to remember with affection and gratitude so warm, steady and disinterested a friend; and I can most truly bear this testimony to his memory, that I never witnessed, in any family, more decorum, propriety, and regularity

(To be continued.)

than in his: . . . of which Mrs. Garrick, by her elegance of taste, her correctness of manners, and very original turn of humour, was the brightest ornament. All his pursuits and tastes were so decidedly intellectual, that it made the society, and the conversation which was always to be found in his circle, interesting and delightful." Yet, after all, what more convincing testimony to the worth and loveliness of this man of many friends than his wife's sad reply to Miss More's expression of surprise at her self-command just after Garrick's death: "Groans and complaints are very well for those who are to mourn but a little while, but a sorrow that is to last for life will not be violent and romantic." And hers did last for nearly forty years, for always "Davy" was in her thoughts.

THE ALIEN COUNTRY

BY HARRY JAMES SMITH

THE Boy had come to them so unexpectedly, so, as it were, by accident, that the surprise of it never quite wore off. One afternoon just as they were finishing up the dishes, the apartment bell rang and Miss Rosie went to the door; and there she found him. He took off his hat with embarrassed courtesy and began, "I've come to inquire about the room if you don't mind."

Miss Rosie looked at him blankly. "I don't know what you mean."

"Why, is n't this Suite 19?" he asked in a tone of sudden misgiving.

"But we have n't any rooms," she replied. The color had come into her cheeks.

At this the Boy looked very miserable. "I suppose I must have made some mistake," he apologized. "But I thought I had it right."

He took a folded copy of the *Herald* out of his pocket and began hunting for an advertisement. Meantime Miss Rosie looked him over timidly. He was hardly a man yet, — not more than twenty, certainly, with a frank, irresolute smile, and blue eyes whose expression seemed always changing. She noticed how prettily his dark hair curled about his forehead; and it occurred to her that New York must be a very lonely place for a boy like this. And so full of temptations too! Miss Rosie's personal experience with such matters was slight, to be sure; but she had not needed to come to New York to learn that Cities and Temptations went together.

Then the Boy laughed. "Is n't that just like me?" he said. "It was West and not East Eighteenth. I'm ever so sorry I've made you all this trouble."

He thrust the paper into his pocket and started precipitately down the stairs; but something made her call him back. "Wait just a minute, please," she said. "I'll speak to my sister Electa if you'll step inside."

This was a strange suggestion for Rosie to make. She was painfully conscious of the fact herself, suspecting, as she led him into the "front room" that she was doing something not altogether right. Her cheeks flushed pinker, and she disappeared without any further word.

The Boy sat down in a wide old-fashioned rocker which was drawn up beside a little pile of stockings and darning materials on the window ledge. The more he looked about him, the harder it became to remember where he was. The bright-figured "ingrain" on the floor, the small rosewood table in one corner with its row of pious-looking books, the hair-cloth lounge, the crayon portraits in gilt frames on the walls,—it all had a transplanted look, as if a clump of petunias or some other homely annual had been set out by mistake in one of the flamboyant flower-beds of a city square.

He wondered who the little lady was. She had such a timid, half-frightened manner, and he had noticed the flush in her face. Despite the fact that she was certainly thirty-five or forty, she reminded him, somehow, of a little girl in the mistaken garb of a grown-up.

But his thoughts had not carried him far before the kitchen door opened and she appeared again, this time not alone. Her sister was of about the same height, but in other respects more amply proportioned, with a round, homelike face, upon which years of responsibility had forced an expression of anxious determination. She wore her hair parted in the middle and drawn back in smooth ripples already touched with gray. She gave one the impression of trying to look much bolder than her heart would give warrant for.

"My sister Rose tells me," she began, in a tone of business-like formality, "that

you were making inquiries about a room and came here by mistake."

The Boy felt uncomfortable again. "Yes ma'am," he answered. "It was stupid of me, I know." He was conscious of being looked over critically. Sister Rose said nothing; but he felt that she was his tacit champion.

"Of course," went on Miss Electa, "we've never thought of such a thing as taking in an outsider; but lately something has happened in our family,"—she was beginning to speak rapidly as though in self-defense,— "and so there are only two of us left now, and as there happened to be a vacant room, we thought perhaps we might be willing to rent it to the right party. What do you think, Rosie?"

It was easy to see that when Miss Electa asked advice, she expected confirmation. "I'm sure I don't know what is right, sister," replied Rosie,—but the disguise in her tone was thin. "Perhaps we might consider the matter if the young man wished."

The young man smiled gratefully. They amused him, somehow, this strange little pair. He could n't help liking them either, and he had already discovered that they were good housekeepers. "You're ever so kind," he said, "and I'm sure I'd enjoy it here; but—" he hesitated,— "to tell the truth, I don't suppose the price would be quite down to my level. You see I have n't been in the city long, and it's rather tough, getting along at the start."

If he had been seeking to plead his cause he could not have made a more strategic remark than that. All the potential mother in Miss Lecky was touched at once. "You poor boy!" she exclaimed. Then she remembered that a commercial proposition was under discussion and made an effort, without much success, to reassume her formal tone. "Of course we would have to discuss the matter of price in detail later; but I think we could come to some satisfactory arrangement if—if it seemed best," she finished, rather at a loss.

The result of the interview was that the Boy, whose name was Ralph Hunter, came to live with the little Norton ladies; and he had not lived with them long, before he became an integral part of the family. It did seem too bad, they said, that he should have to go out to a boarding-house for his meals! They had heard things about the conditions in boarding-houses, — the Temptations must be dreadful there for a young man new to city life; and then, beside, they had got so into the habit of planning meals for three, that it came a great deal more natural than planning for only themselves. Therefore the Boy was established at the family table for two meals a day, occupying the seat that had been brother John's.

Every one who knew the little Norton ladies was aware that they did not approve of city life; that they had only consented to put up with it those two years because John had needed some one to make a home for him. Just why, after their sudden bereavement, they had stayed on there week after week in the little five-room apartment four flights above the noisy street, they would have found it difficult to explain themselves. Certainly not because New York was an endurable place of residence. The Elevated trains and the Subway — into which neither of them had yet consented to venture, — the crowded streets, the sky-scrapers, and the drunken men, — it was all one nightmare to her, so Miss Lecky never tired of repeating.

"Why, from our home in Sharon," she liked to say to Mrs. Meggs, the janitress, "we used to look right down across the big meadow and beyond the river, miles and miles, and we never thought that was anything at all."

"An' sure I am, ma'am, ye must be awful homesick," was Mrs. Meggs's sympathetic comment.

"I sometimes wonder how we get on at all," Electa would answer with a determined sigh.

But the months had passed and still

they stayed on. And then the Boy had come, and somehow they had stopped talking about any change. It may be they found a furtive satisfaction in the idle luxuries of running water and bathtubs; and though steam-pipes made a horrible noise sometimes and had an unhealthy smell, yet the five little rooms did have a snug and cheerful look on a stormy day in winter, and there was an undeniable comfort in knowing that you were close to folks, even if you could n't call them real neighbors.

Every morning, unless the weather was too bad, the little ladies would go forth together to do the day's marketing on First Avenue. "Of course," Miss Electa admitted, "they're all foreigners on First Avenue, and we never can think of pronouncing their names, and most of them, I suppose, are Romanists. But all the same they do treat you as if you was a human being."

It was into this life — quiet, regular, uneventful, like a little calm pool along the edge of a torrent — that the Boy found himself so unexpectedly introduced. It was a new and agreeable experience for him. It was pleasant to be sure that when you got home from work at night, tired and dirty, there would be a bathtub of warm water waiting for you and a crash towel on the back of a chair; and you could n't help being glad, too, that no matter how down on your luck you might happen to be, there was somebody who believed in you absolutely.

Ralph Hunter was only a draughtsman in a downtown city-office, — and he was not even a first-rate draughtsman. The assistant engineer who had charge of his work reported that he was careless and forgetful; but they kept him because he was a nice fellow, and because in the civil service it is easier to keep a man than to get rid of him.

"Never mind, Ralph," Miss Electa would remark reassuringly, if he ever spoke of being discouraged. "Rosie and I know what you can do, and we don't mind waiting till the time comes. You

must n't expect people who hardly know you to see what you're really good for."

But Ralph was not often discouraged. He had a way of expecting things to take a turn for the better soon. Every time he made a bungling drawing he said to himself that he would know better than to do it again. "Everybody's got to make his mistakes," he said, and there was some satisfaction in the thought.

On Sundays he frequently went with Miss Rosie to the Broadway Tabernacle. It gave him a comfortable feeling of doing something obliging; and anyway, Sunday morning was liable to be a pretty dull time. He did n't care much about reading, and he hardly ever wrote a letter. The only drawback in the matter of going to church was his fear lest he should happen to run across any of the men from the office on the way. He knew that they would think it a great joke and would never have done with asking him about his Sweet Sixteen. Fortunately one could forget all such disturbing possibilities in sitting down to one of Miss Electa's Sunday dinners of roast chicken and cranberry-sauce and hot mince pie.

It came about gradually, nevertheless, that as the months passed, the Boy found it less and less convenient to go to church very often. He would be so tired, it appeared, when Sunday came, — after his hard week at the office, — that he would feel as if he must get in as much rest as possible. So he would not get up until eleven o'clock or thereabouts, and then sit in his slippers reading a Sunday paper the janitress had bought for him, while Miss Lecky bustled about the kitchen over preparations for dinner.

"You poor boy!" she would say, noticing the dark circles under his eyes, — "how hard they do work you, don't they! It's a perfect shame."

The Boy blushed very easily, and such remarks always had the effect of bringing the color to his face. "Don't you worry about me," he would laugh with an effort at nonchalance. "It's all a part of the game."

"It is n't right, Ralph, for all that," she would maintain. "Especially this way they've got into of giving you evening work to do. You don't get enough sleep."

The loyalty of the little ladies made him feel curiously ill at ease sometimes, — a bit sick of himself. But he found a convenient way of remedying that. "If only they had a little idea of what real life was," he would say to himself, — "why, then there'd be some hope of making them understand a few things; but they think everybody else is built on the same plan as themselves."

Ralph, it will be noticed, had progressed from twenty to twenty-two. It is an easy progress. For a number of months now he had been making discoveries about real life. Perceiving that he was a boy no longer, he told himself that he must live a man's life in a man's way. Only he wished that the little ladies would not insist upon making sympathetic remarks.

But he liked them as much as ever, with something of the tolerant affection which a world-traveled navigator must feel for his kindred who still mend nets uneventfully on the shore at home. They were so gentle and simple-minded and kind-hearted; and he had a sincere desire to have them happy. Perhaps that was the real reason why he made up his mind to leave them. His affection was sincere enough to make him unwilling to keep on living with them under false colors. It was not quite loyal: it would be better, he concluded, to get out of the whole thing; to find a place to live where no one would take any personal interest in a fellow, and where you could go on your own way without criticism.

Besides, he did not like to face the possibility of the little ladies making discoveries. He did not want to have them disillusionized about him; because he had the feeling somehow that their belief in him meant a great deal in their lives.

A friend of his named Stone, who had a room in Harlem, had been urging him

for a long time to move up there. "What's the use," said Stone, "of cooping yourself up like that with two pious little old maids when you might just as well be independent, — free to come and go when you like, and no questions asked."

Ralph did not like Stone's manner of speaking of the little ladies; but he recognized the force of his arguments. And Stone was a very good fellow too, in his way: a man who had seen a good deal of real life and was glad to offer himself as a gratuitous guidebook.

Consequently, after a good deal of delay, the Boy made application for a transfer to the Harlem office, and it was granted without reluctance. Then he broke the news one night at supper, — untactfully, brutally, because he did n't know how else to do it.

"I've just found," he began, "that they've transferred me to 125th Street. I'm booked to begin work there next month, so I suppose that means I'll have to move."

Both of the little ladies looked at him speechlessly for a moment, and Rosie's hand went to her throat as if to check a slight cough.

"Ralph, that is n't really true!" exclaimed Electa weakly.

"That's the worst of it," said the Boy. "They're likely to change the force around like that any time. You never know what's ahead."

Rosie leaned forward excitedly. "Did you ever see anything like the way a man gets ordered about nowadays," she protested. "It's an outrage! Just as if he did n't have any rights of his own!"

Ralph felt his face growing red. "Oh, I would n't mind it so much," he went on, in a blundering effort to say the right thing, — "only I hate to think of leaving you people."

"Leaving us, —" Rosie gasped. "Why, —" she caught a warning look from Electa and stopped abruptly. Then there was a silence. Electa knew what her sister had been upon the point of saying; but she had suddenly grown aware that it

was for the Boy and not for either of them to make any such proposal. And he did not make it.

Instead he sat there in embarrassed silence, jerking at the corners of his napkin.

Finally Miss Lecky managed to break the spell. "It will seem very lonely, Ralph, without you," she said, in a low voice that almost hurt him.

It was hardly to be expected that he would prove equal to the situation. He glanced nervously at the clock. "Golly," he exclaimed, "it's time I was off. Will you please excuse me?" In another second he had left the room.

The two sisters looked at each other across the table, which seemed empty.

"Rosie," said Miss Electa rather sharply, "we must n't make fools of ourselves." She got up from her chair and began to remove the dishes.

In the weeks that followed, the subject of the Boy's departure was never brought up at the table. The external regularity of life in Suite 19 was not in the least disturbed, and if the Boy had any suspicion of the truth underneath, it was only because he found himself more than ever the object of delicate attentions. Although it was now May there were waffles for breakfast every morning. At last the end of the month came and still there was no talk of the future. The Boy spent a good part of Decoration Day in packing up his belongings, while the two sisters hovered about, diffidently eager to be of assistance. When dinner was over he took his new straw hat and started out.

"I've got to go up to Harlem and make my last arrangements there," he said. "I'm not sure how soon I can get back."

"All right, Ralph," said Miss Lecky. "We won't worry about you."

Then the door shut behind him. Electa looked at her sister with a troubled expression and shook her head. "I can't quite feel comfortable, Rosie," she said, "over the way we've kept our plans all to ourselves and never told the Boy any-

thing. He's always been so fair with us, — it sort of hurts my conscience. And of course, now — there can't be any use in putting it off."

This was the first time either of them had admitted that their silence had been deliberate.

"We'll tell him to-morrow when we give him the picture," suggested Rosie.

Electa thought a moment. "Yes," she agreed, "we'll tell him to-morrow; but I don't think we'd better wait about the picture till then. You see he'd want to send that off with his trunk in the morning, and it ought to be packed to-night. I think we'd better put it on his dresser so he'll see it as soon as he comes in."

Rosie brought out the picture from their bedroom and they looked at it together. It was a large photograph of themselves sitting on the steps of the old homestead in the Litchfields. An itinerant camera-man had persuaded them one day five years ago to sit for it; and once persuaded, they had done it conscientiously. Rosie was seated carefully on the top step against the post, her gaze intently fixed upon a bouquet of coriander and sweet alyssum which she held judicially at one side; while Electa stood in the doorway, posed, the photographer had suggested, as if about to welcome a dear friend. The picture had just been framed.

"I think that will please him," said Miss Lecky, in a gratified tone. "Pictures brighten up a room so; and even if this was taken quite a while ago, it's about as good as it ever was."

They carried it into his room and gave it a conspicuous position on the chiffonier.

After the dinner dishes were washed and put away, Electa always read aloud until bed-time, while Rosie crocheted or did embroidery. To-night the reading did not go very well. Still it was probably better than doing nothing. At ten o'clock Electa was just shutting the book at a good breaking-off place, when Rosie suddenly remembered that they had forgot-

ten to get any strawberries for the Boy's breakfast. The next to the last breakfast that he would have with them, too! She spoke of it to her sister.

"I suppose," she ventured timidly, "we might find some even now on First Avenue."

"What are you thinking of, child!" exclaimed Miss Electa, reproachfully. "You surely don't want to go out at this time of night."

"Of course I did n't mean that," apologized Rosie. "I was thinking we could get them before breakfast to-morrow, only he likes them better just out of the refrigerator."

"Well, I suppose you won't be happy now till you go, since you've got the idea in your head. Put on your things. We'd better get it done before it's any later." When Electa did something which her principles disapproved, she called it "humoring Rosie." But since the accident they had not once been out so late as this. The city at night — that is to say, after half-past eight — was an unknown and alien country, full of dangers.

Hastily they put on their white shawls and little black hats and set forth, clinging to each other for reassurance. City streets have a strange look under the flare and shadows of arc lights. Their shortest route would have been diagonally through the square; but instinctively they avoided it. It always gave one the feeling of intruding, Miss Rosie had once said, when one walked by the park benches of a warm evening. So they went along the end of the square instead.

With great relief they found that Pietro's stall was still open. The black-eyed little Sicilian greeted them enthusiastically. "But the hour!" he added. "It ees not ever like dis for you's ladies."

Miss Electa carefully selected her quart of berries. "What a lot of people there are on the streets," she said. "Don't they ever go to bed at all?"

"Bed, mees!" His smile showed all his white teeth. "For us here the night only begin."

Miss Electa sighed. "I never can get used to the way these city people live," she said to her sister as they set out once more for home. "It don't seem right to me. What was the night made for anyway? Sometimes I've thought I'd speak to Ralph about it, because I know he needs more sleep; but I don't like to preach to him, and besides, I suppose when you're in Rome you must do like the Romans do."

Electa rather plumed herself upon her liberal-mindedness. "When you've had as much experience with life as I have, Rosie," she would say, "you'll see that it don't pay to be too sure about anything but your own duty."

They returned home through the park, for a group of noisy boys had gathered on the corner. It was a very warm night, and Stuyvesant Square teemed with its usual summer population. Complacent German matrons from Avenue A sat in ample comfort on the high-lighted central benches near the fountain, while their flocks of young ones raced noisily about the open pavement. But in order to cross the square from any of its corners, one must pass by the less illuminated benches, and these were occupied too, but not by German housewives.

The Norton ladies dropped their eyes modestly as they passed, a little ashamed in the presence of what they had been taught to look upon as a kind of sacred mystery. There was something unabashed about city people. They seemed to know no respect for times and seasons. Miss Electa wondered who these girls' mothers were that they should allow them to be out like this, and so late, too.

"I suppose it may be all right in its way," she whispered incredulously, — "living as they do in such quarters; but I don't like to see such things go on in public and never did. It don't seem refined."

The words had hardly left her lips, when she felt Rosie's hand suddenly clutch her arm. She heard a little half-suppressed gasp, too, and felt her shrink

back as if from something that had terrified her.

Instinctively Electa's eyes turned to the farther side of the path where the benches were, and then she grasped Rosie's hand, and they fled silently, without exchanging a look, to the outer gate. She felt Rosie's arm trembling. She wanted to speak; but for the moment no words would come. Up the four long flights they hastened, hardly feeling the stairs under their feet. It took a long time to get the key into its lock. But at last they were there, at home once more, inhabitants of their own particular world.

Rosie sat down on the edge of the haircloth lounge and began unsteadily to draw off her silk mitts. She kept her eyes on her hands; but Electa saw her lips quivering and noticed how the color had gone out of her cheeks. Still neither spoke.

Then Electa went into the Boy's room and brought out the photograph. "There's no use in giving him this — not now," she said. Her voice had a curiously impersonal and far-away sound.

She took it into their bedroom and laid it in the bottom drawer of the old-fashioned mahogany dresser.

"Thank you," said Rosie, without looking up.

A few minutes later they went to bed. But it was impossible to sleep. The night was breathless and full of street noises. Once a crowd of rowdies passed under the window singing. Lecky reached across the bed and put her hand lightly on Rosie's shoulder. "Rose," she whispered, "do you think Ralph knew it was us?"

"I'm sure he did. He — he tried to keep us from seeing him."

There was a long silence.

"I don't see why he did n't want us to know," said Electa at last with a baffled sigh. "We never tried to interfere with what he did."

"I'm sure it was n't that," said Rosie. "But perhaps — he might have thought we would n't understand. You'd better

tell him, Lecky, to-morrow, that it's all right."

They did not speak again that night, although a couple of hours later when the Boy came in, Electa's hand found her sister's and held it silently for a minute.

Ralph was not at breakfast the next morning. He had gone out quietly at six o'clock, leaving a note behind him to the effect that, as it was his last day in the downtown office, he wanted to finish up a lot of work and must get in as much extra time as he could. "I will be back for dinner, though," he ended.

He kept his word. He knew that he must. He would not let them think he was a coward, at all events. He was going to face it out and have it over with.

The little room which he had occupied for two years seemed strangely empty as he entered it. His trunk had gone. The narrow white bed, the fresh cover on the washstand, the dustless chiffonier — a feeling like homesickness came over him as he looked about him, and a sort of regret for the days when he had been able to live there without being ashamed. It did not occur to the Boy that he might seek to recall the past into being. Having undertaken to live a man's life, he had no thought of giving it up. But the old times seemed suddenly very sweet, and in the presence of the fresh little room with its muslin curtains, he looked back upon them with longing.

"Ralph, dinner is ready." It was Miss Electa's voice from the other side of the door.

To walk out into the dining-room just as if this night were like other nights cost an effort. He succeeded pretty well. He sauntered up to the table with his usual gayly-formal "Good-evening, ladies," and seated himself.

All three bowed their heads for a silent moment, and then Electa brought from the refrigerator a large pitcher of lemonade in which several strawberries floated blithely. "Something very special," she said, with a little laugh, "for the last night."

They all tried to laugh, but it sounded queerly; and then the conversation failed. Nobody seemed to know quite what to say next. The Boy noticed out of the corner of his eye that Miss Rosie's cheeks were pink and that she hardly touched her food; only now and then she would take a little sip from her glass of lemonade and then smile nervously, as if sharing with passive politeness in the ordinary small-talk of the dinner-table.

Miss Electa busied herself ostensibly with preparing some French dressing for the lettuce. The small business of an ordinary meal — the serving of the dishes, the passing of plates, the filling of the glasses — assumed undue conspicuousness from the fact that it was the only bulwark against a silence which every one dreaded.

"Rosie," said Miss Electa anxiously, "you look ill. Don't you think you'd better go and lie down a while in our room?"

The Boy had not looked at her directly before; but now his eyes met hers involuntarily, and he noticed two tears quivering on their lids. She rose hastily from her chair and hurried out of the room without a word. He felt the blood burning up to his temples.

There was a moment of intolerable silence. "Ralph," began Miss Electa at last, looking at him very bravely, "I've got to speak to you some time, and I suppose this is my chance. Sister and I are planning to go back to Sharon in two weeks. We did n't tell you before because we — because it seemed easier somehow not to. But we want to ask your pardon for keeping it to ourselves."

The Boy started. "Why, Miss —"

"That's not all," she interrupted. Her voice was beginning to tremble; but she felt that it was her duty to speak. "There's something else."

Then she looked at him helplessly and lost her words. Before the Boy's mind flashed the picture of the previous night, — the two timid little women hurrying down the path under the trees, the sudden

look of recognition in Rosie's face, and the way she had shrunk back against her sister. All day long he had kept hearing that little gasping sob of hers, and had said to himself in the pity of self-accusation, "She's always done so much to make a fellow happy, it must have been pretty tough to find out all of a sudden he was that sort!"

But Electa had found her voice again. "Yes, there's something else," she was saying. "It seems to us as if we had n't quite understood each other, Ralph, and we can't bear to have you go off—like this, and everything, without having you know that we do understand — now —

and that — that we're very glad indeed — and we hope you'll be so very, very happy together."

For a second the Boy's mind groped blindly; then in a flash he saw what she meant — and his lips said, "Thank you, Miss Lecky."

"And now," she went on tremulously, — "that we do know about it, we're so sorry that we're not going to be in the city any longer — because — Don't you see, Ralph, if you'd only told us, we could have asked her in to dinner sometimes — and then — afterwards, you could have sat in the parlor together, while we did the dishes."

ALLER SEELEN

BY MABEL EARLE

THE mist in the air, and the moon in the sky,
And a wind from the pine-grown height;
The living years are a breath gone by,
And the dead years live to-night.

The mist in the air, rain-washed and sweet;
The moon on the pine-slopes blue;
The long thin hill-grass under my feet —
But where are I and You?

The rocks and the rain-sweet wind are here,
The moon and the mountain grass;
The living soul of a long-dead year
Walks on the pine-crowned pass.

But You and I have journeyed far
On a long unresting track,
From the Souls We Were to the Souls We Are —
A goal whence none go back.

The dead years rise on the rain-washed wind,
And walk in the world they knew;
But living or dead we shall not find
The souls that were I and You.

FOREIGN PRIVILEGE IN CHINA

BY HOSEA B. MORSE

THE newly aroused sense of nationality, of feeling that they belong to one common fatherland, which is at present seen to pervade the masses of China, has taken many aspects. Now it seems to be directed against the alien dynasty, now it manifests itself by resentment against local misgovernment, now, notably in 1900, it takes an anti-foreign form; but of any organized movement, sooner or later, the Asiatic instinct of strong government gets the upper hand, and agitation which might devastate the country is kept within restraining banks. The latest development of nationalism in China is the present movement against those privileges reserved for foreigners, to which the native can lay no claim; and foremost among these is the right of extraterritoriality, against which the battle will be long and stoutly contested. It will be well to inquire what it is.

In the earliest times the traveler was protected by no law: the Tyrian voyager along the coasts of the Mediterranean secured only such rights as he could buy or enforce; but he neither carried with him his own law, nor was he entitled to claim the protection of the law of those among whom he sojourned. With the extension of the Roman dominion went the *pax Romana* also, and every citizen who traveled was under the ægis of the *jus Romanum*. The principle established was that the Roman elsewhere than in Rome was extraterritorialized, — he was not required to submit to the territorial laws of the "foreign" country, but remained outside them and continued to enjoy the protection of his own laws. As an echo of this privilege we find that in the constitution of A. D. 824, imposed upon the people of Rome by Lothair, acting as vice-gent for his father Louis the Pious,

each inhabitant of the city was required to choose the code, Roman, Frankish, or Lombard, by which he wished to live, and was then judged according to the law selected. The underlying principle is obvious. It was recognized as inequitable that, for example, the Frank, who was entitled by his native law to compound for a homicide by payment of *Weregeld*, should by the accident of residence in what — though the capital of the empire — was still to him a foreign city, be compelled to pay the penalty of death, — a penalty which from his point of view must appear cruel and vindictive. And while he wished to preserve for himself his own law, he did not wish to impose it on the Roman people or on the Lombards who less than a century before had been masters of the city. The Frank in Rome was fully extraterritorialized, but of Rome the Frank was titular sovereign.

When the West first met the East on equal terms at shorter range than a lance's length, it was found that their laws were incompatible; that no Venetian or Genoese, the pioneers in commerce in those days, would willingly or could in reason be expected to submit himself to Moslem law, based on the stern requirements of the Koran; and that no follower of the Prophet could yield obedience to a code whose leading exponent was the Pope. There was no thought of requiring either to conform to the law of the other: as between one country of Europe and another the *lex loci* might be applied; but to assimilate the legal procedure of two diverse civilizations was the mingling of oil and vinegar. The question was one-sided, since no Moslem ever strayed from the fold, and the Padishah settled it offhand by bidding the Giaours judge, control, — and protect, — their own na-

tionals according to their own customs. While the trading states were weak and the Moslem power strong, the *imperium in imperio* thus created caused no more trouble than the old protection which the Roman citizen carried with him everywhere; but in the course of years the Turkish realm lost its old-time force, the more powerfully organized nations of Europe entered the field, and the obligation of extraterritoriality became a right, claimed by all strong enough to enforce it, enjoyed by all in the comity of nations, and ultimately sanctioned by the Capitulations. These are the charter of extraterritoriality in the Turkish Empire, and in the states now or formally vassal to it.

At first the natural assumption was, that the traveler carried his law with him, in so far as he was entitled to the protection of any law; but by degrees in the history of those countries whose government is based on law and not on the will of the governors, law became paramount, and the law of the locality was never set aside to pleasure a chance visitor. This is now the rule, the Capitulations in Turkey being merely survivals of the middle ages. When the European first came to the Far East, he had no thought that he was entitled to carry his law with him, and submission to the *lex loci* was merely an incident in his adventurous career, duly provided for in his profit and loss account. The Black Hole of Calcutta was typical of the treatment of the English in India at the time, when once removed from the protection of the British flag; the Portuguese in China enjoyed life, liberty, and the pursuit of happiness only on condition of remaining safely in the tiny peninsula of Macao; and the Dutch in Japan, cooped up in Desima, made money, but were otherwise subject to the whims of the Japanese. At the opening of the nineteenth century the English and Americans resident in China were restricted to the "Factory" or trading post of Canton, privileged for exercise to walk a hundred paces in one direction, and then a hundred paces in the

other. They were in general well treated, since the trade so profitable to them was equally profitable to the Chinese, and, so long as they were law-abiding, were not molested, — but law-abiding in the sense of abiding by the law of China. It was irksome to them to have no lawyer to instruct them in the law of the land, to have no fixed and certain law to appeal to, to be doubtful of the application of the law to any particular case, and to have no doubt whatever on the course likely to be followed by the administrators of the law; but this was all an incident of their position, and the rapid accumulation of fortune enabled them to shake the dust of the country from their shoes after a very short stay. So the position was endured, and the *lex loci* submitted to, — probably, from what we know of the English and American character, with many murmurs, but without overt opposition.

It is no part of my purpose to describe the state of the prisons of China, or the methods by which testimony and confession are elicited, or to demonstrate the insistent need to the Chinese people, of the article in King John's Magna Charta, "to no freeman will we deny or sell justice." The incompatibility of laws based on diverse civilizations is nowhere more marked than in China. There no bankrupt law is possible: if a debtor's own estate will not suffice to pay his debts, the deficiency must be made good by his father, brothers, or uncles; if a debtor absconds, his immediate family are promptly imprisoned; if the debtor returns, he is put in prison and kept there indefinitely, so long as he can find money for his daily food, until released by payment in full or by death; — this is the law. When, in 1895, Admiral Ting found himself forced to surrender Weihaiwei and his fleet, he committed suicide; by this courageous step, technically dying before surrender, he saved his immediate family — father, mother, sons and daughters — from decapitation, and their property from confiscation, — the penalty when a commander surrenders an Im-

perial fortress;—this is the law. When in the old days, an English gunner caused the death of a Chinese by firing a salute from a cannon, from which, by oversight, the ball had not been removed, he was seized, tried, and executed; and in 1839, when in the course of a disturbance with English and American sailors at Canton, a Chinese was killed, the authorities demanded that, if the guilty person could not be detected and executed, the whole party should be handed over for execution;—this is the law. Intention is never taken into account. A dollar for a dollar, an eye for an eye, a life for a life, and all for the Emperor and his representatives, — this is the law of China.

The feeling against continued submission to this law and to its arbitrary and inequitable application had been growing; and when the Chinese authorities committed an overt act of aggression in seizing and destroying the property of the English and American merchants at Canton, burning their "Factory," in which alone, as in a Ghetto, they were permitted to reside, and forcibly expelling them from Chinese soil, the British took up the cudgels and the war of 1842 followed. The movable property destroyed consisted mainly of opium, and consequently the war is in common parlance called the "Opium War." This is an ill-chosen designation for the Americans, as for the English, since, as the direct result of the war, the American government secured a treaty containing even more favorable terms than the British treaty. In fact the direct cause of the war was the growing sense of the need for better protection to life and property, though behind this was the ground cause of the need for better relations generally. In the words of Dr. Hawks Pott's *Sketch of Chinese History*, "The first war with China was but the beginning of a struggle between the extreme East and the West, the East refusing to treat on terms of equality, diplomatically or commercially, with Western nations, and

the West insisting on its right to be so treated."

As has been the rule from the outset, England bore the brunt of the battle in securing the rights of the West; and the privileges secured to her as the result of the war became the heritage of all the Western powers coming later into the field. Equality of treatment was conceded in 1842 on paper; but the execution of the concession in practice left much to be desired, and friction continued. There were, of course, faults on both sides, as is always the case where a bold, aggressive race comes, especially in matters of trade, in contact with a weaker race given to supplement its want of strength by methods of chicanery and indirectness; but underlying everything were the demand for equality of treatment and extraterritorial rights on the one side, and on the other, a stubborn disinclination to yield either. A second war became necessary, in which the French joined hands with the English; and a second time America and other interested powers came in and secured treaties simultaneous and identical with those signed by the British and French envoys. These treaties, signed independently by Great Britain, France, Russia, and the United States in 1858, by Prussia and the North German Confederation in 1861, and by other powers in later years, are still the charter of liberty of the foreigner resident in China; and in each of them, in addition to a "most favored nation" clause, is contained the stipulation of extraterritoriality.

The earliest treaties with China were made by Russia, whose envoys came by the Siberian route, and whose colonists and armed forces were in constant conflict with the Manchus and the sons of Han on the long frontier of the Amur and in Central Asia. The earliest of these treaties, that of Nipchu (or Nertchinsk) signed in 1689, contains (Art. VI) the following provision:—

If hereafter any of the subjects of either nation pass the frontier and commit crimes of

violence against property or life, they are at once to be arrested and sent to the frontier of their own country and handed over to the chief local authority, who will inflict on them the death penalty as a punishment of their crimes.

The treaty of the Frontier (called also the treaty of Kiakhita, at which place the ratifications were exchanged), signed in 1727, contains (Art. X) the following provision:—

Those who pass the frontier and steal camels or cattle shall be handed over to their natural judges [*leurs juges naturels*], who will condemn them to pay ten times, and for a second offense twenty times, the value of the property stolen; for a third offense, they shall be punished by death.

The supplementary treaty of Kiakhita, signed in 1768, contains minute stipulations for the arrest and extradition of criminals, but includes this provision:—

The subjects of the Middle Kingdom [China] who shall have committed acts of brigandage shall be delivered, without distinction of persons, to the tribunal which governs the outer provinces, and punished with death; the subjects of the Oros [Russia] shall be delivered to their senate, to undergo the same penalty.

Here, then, from one to two centuries before the first of the treaties with any of the maritime powers, we have the principle of extraterritoriality accepted; the penalties are prescribed by negotiation between the two powers concerned, but the culprits are to be handed over to their own natural authorities,—are to be judged and condemned according to the legal procedure of their native land.

The British treaty of Nanking, signed in 1842, as the result of the war of that year, contained provisions for uniformity of customs duties and equality of treatment for British officials; but the only reference to consular jurisdiction is found in Art. II, to the effect that consuls are "to be the medium of communication between the Chinese authorities and the said merchants, and to see that the just duties and other dues of the Chinese government as hereafter provided for are

duly discharged by Her Britannic Majesty's subjects."

The supplementary treaty of Hoo-munchai (1843) contains provisions for extradition, but it too makes no provision for extraterritoriality. It was reserved for the United States of America, peacefully following on the sound of the British cannon, to step into the breach, and to supply the one condition which renders it possible for American, English, German, or other merchants to enjoy in quiet the fruits of their trading activity, or for their missionaries to prosecute their holy calling peacefully, and to carry back out of China the life they brought with them, subject to the laws of the land of their allegiance and not of the land of their sojourn. In the treaty of Wang Hiya, signed in July, 1844, Art. XXI reads as follows:

Subjects of China who may be guilty of any criminal act towards citizens of the United States shall be arrested and punished by the Chinese authorities according to the laws of China, and citizens of the United States who may commit any crime in China shall be subject to be tried and punished only by the Consul or other public functionary of the United States thereto authorized according to the laws of the United States; and in order to the prevention of all controversy and disaffection, justice shall be equitably and impartially administered on both sides.

The French treaty of Whampoa, signed in October, 1844, contained a similar provision that French subjects accused of any crime should be "*livrés à l'action régulière des lois françaises*," adding, however, an enunciation of the principle of extraterritoriality:—

Il en sera de même en toute circonstance analogue et non prévue dans la présente Convention, le principe étant que, pour la répression des crimes et délits commis par eux dans les cinq ports, les Français seront constamment régis par la loi française.

This is the principle adopted since that time in all treaty negotiations entered into with China by each one of the treaty powers, which, in the order of the dates of the first treaty with each, are Russia,

Great Britain, the United States, France, Belgium, Sweden and Norway, Germany, Denmark, the Netherlands, Spain, Italy, Austria-Hungary, Japan, Peru, Brazil, Portugal, and Mexico.

This is extraterritoriality, secured by two wars and by treaties with seventeen powers, each one of which must consent to its abrogation or modification. By it the foreigner resident in China is subject to no one provision of the law of China, as to either his person or his property, but at all times and in all places is entitled to the protection of his own national law administered by his own national officials. There are no two voices as to the necessity for this right among those resident in China, and the right has been recognized by the various governments as supplying the one condition under which their nationals can remain in that country. In its exercise some abuses have grown up, which may be considered later; but first it is needful to study its practical application.

We all know, or think we know, the ordinary functions of the ordinary consul. Practically they may be reduced to three. He is the commercial agent of his government, and in that capacity must study the commercial possibilities for American traders and manufacturers in the country to which he is accredited, and inform the nation by the reports which he writes. He is a notary public, certifying invoices for the United States customs, and attesting documents signed before him for use in the United States. Finally he is the adviser to Americans sojourning abroad, supplementing their ignorance of foreign laws and customs, and indicating to them the means by which they may be in the position, as to knowledge, which they would occupy in their own country. Coming to China we find the consul performing not only these functions, but many more besides, all of which add to his cares and his responsibilities.

First, by the direct action of the principle of extraterritoriality, he is a police

magistrate to try offenses committed by American citizens, civil judge for suits brought against Americans by Chinese, by other Americans, or by foreigners of other nationalities, and criminal judge for more serious crimes committed by Americans, even up to murder in the first degree. From his decisions appeal is difficult. His judgment may be reviewed by the United States Minister at Peking, but this is in no sense a re-trial; and in certain cases an appeal may be taken to the United States Circuit Court, six thousand miles away, in California. His position is the more difficult from the fact that he has to administer, not the law of Massachusetts, or of New York, or even of California, the nearest state, but "American law," and this generally without the aid of trained lawyers; he must administer the common law unelucidated by any state statutes, and must often give judgments which Solomon would have envied. Besides American law he must have a sufficient knowledge of the *lex loci* (as in the case of a land suit in which an American is defendant), and instances have been known when his judgment has depended upon the right interpretation of the tenets of the Buddhist religion. With all this he has still to meet another element of difficulty: his instructions from the State Department require him first to bring two suitors to common terms of settlement; and if, after making the attempt, without giving one party a clue to the case of the other, he fails of success, he must then erase from his mind all he has learned in the matter and go on the bench to sit as judge.

Besides requiring him to act as judge, the extraterritorialized position of the foreigner in China places on the consul's shoulders still another burden of responsibility. Beyond the protection of American law, the American in China is safeguarded by the stipulations of the treaties. These specify — to select a few among the many instances — that customs duties shall be uniform, that inland tran-

sit dues (akin to octroi) may be compounded, that Americans may freely rent or charter houses, boats, etc., that they shall not be prevented from preaching the gospel, that the United States Minister may freely and safely reside in Peking. Though sitting as judge when an American is defendant, when an American has a plaintiff against a Chinese defendant the consul is by law the official advocate in the case, a position presenting some embarrassment in cross suits. When the plaintiff is against the Chinese government, the consul is the more necessarily an advocate from the need of interpreting and applying the stipulations of the treaties — not only of the American treaties, but, under the "most favored nation" clause, of all the treaties made with China. This makes of him a diplomatic representative, — not merely a representative of the minister at Peking but of the State Department at Washington; and in this capacity he has to present arguments and bring pressure to bear on the Chinese officials to an extent not sanctioned by procedure in European countries.

In cases of riot and disturbance in a country of weak government, the foreign military and naval forces must be called in to give due protection to their nationals. The consul is the natural diplomatic intermediary with the Chinese officials, and all representations, by way either of persuasion or of ultimatum, must pass through him. It is for him alone to judge when the toga must yield to arms; and, in addition to his other responsibilities, he is the resident civil authority in control of the armed forces of his own country.

By virtue of extraterritoriality, direct action against a foreigner's person or estate can be taken only through his own consul; and in the case of an arrest for contravention of municipal regulations, it is by him that the prisoner must be tried. The foreign communities are little self-governing and self-taxing republics, each in its square mile or two of territory; but even against their own members

those communities cannot act through their own courts, which do not exist. If the municipal police arrest gamblers, let us say, among whom are men of six different nationalities, plaintiff must be made before six different consular courts, with the result, incidentally, that one culprit may be fined a dollar and another a hundred dollars on the same day for the same offense. The municipal council governing such a community is subject to no legally constituted tribunal, since none such exists of competent jurisdiction; and, being after all only a body of private gentlemen of many nationalities, with no official status, can communicate with the Chinese officials, with whom they have constant and important dealings, only through "their own" consuls. To meet these varying needs of the regularly constituted governing body of these little republics, the consuls take united action, holding deliberative meetings for that purpose, and act by the voice and pen of the "senior consul" — the consul longest in residence; and they appoint certain of their number to constitute a consular court, a tribunal before which the municipal council may be sued. This gives the consul an important part in the municipal control, not only of his own nationals, but of all foreigners in the community.

As we have seen, the consul in Europe is merely a commercial agent of his own government; to this function the consul in China adds those of judge, diplomatic agent, civil authority in control of the military, and has a potent voice in municipal administration. All this arises from extraterritoriality. This remedy for the intolerable situation of the first half of the nineteenth century has now been in force for sixty years, and through it life in China has been rendered possible for the American and other foreigners; without it, during those sixty years, the contention of the Chinese government that none of the outer barbarians should abide on the sacred soil of the Middle Kingdom would have worked

its own accomplishment. It is based on force, as was the first occupation of Massachusetts Bay and the progress of the Union from the Atlantic westward to the Pacific, and on manifest destiny, so long as its beneficiaries can compel destiny. It has no logical or moral argument to uphold it; and yet it is a necessity of the case, if the American merchant and the American missionary are to remain in the country; and so long as their stay there is legitimate, so long will extraterritoriality provide them with a buckler in following their lawful occupations.

There are some abuses connected with the practical working of this privilege which call for notice. Not all American missionaries can be trusted to temper zeal with discretion, and to distinguish what is right from what is lawful; nor can all American merchants be trusted to place integrity and honesty on the shelf from which they can most easily be reached down. The question of the missionary can be soon disposed of, since in his error he is at least honest. Not only in the treaty ports, the sole authorized places for foreign trade, is the American covered by his extraterritorialized position, but in every corner of this vast empire in which he may put his foot. When the missionary, far in the interior, many miles from the observing eyes of his consul, transfers a corner of his protecting cloak to his poor Chinese convert, he may be doing what is right, but it is not lawful; and this is the naked fact underlying many an episode leading to a riot. You cannot eradicate from a missionary's mind the belief that a convert is entitled to justice of a quality superior to that doled out to his unconverted brother; it could not be got out of your mind, nor out of mine, in a similar case. None of us could endure that a protégé of ours should be haled away to a filthy prison for a debt he did not owe, and kept there until he had satisfied, not perhaps the fictitious creditor, but at least his custodians who were responsible for his safe keeping. The case is particu-

larly hard when the claim is not for a debt, but for a contribution to the upkeep of the village temple — the throne of heathendom — or of the recurring friendly village feasts held in connection with the temple — counterparts of Fast Day and Thanksgiving; and when conversion drives its subject to break off all his family ties by refusing to contribute to the maintenance of family ancestral worship and the ancestral shrine, the hardship is felt on all sides — by the missionary, who cannot decline to support his weaker brother in his struggle against the snares of the devil; by the convert, who is divided between his allegiance to his new faith and the old beliefs which made all that was holy in his former life; by the family, who not only regard their recreant member as an apostate, but are also compelled to maintain the old worship with reduced assessments from reduced numbers; and by the people and governors of the land, who may find in such a situation a spark to initiate a great conflagration. No missionary, none of ourselves, could refuse his support in such a case; and yet no missionary with whom I have spoken considers that the support should be given. To a man they think that they must regard in such matters, what is lawful and not necessarily what is right; and with them it is always "the other fellow" who does these things.

This contention is more nearly true of American missionaries than of those of some other nationalities, and among them it is almost absolutely true of the older established missionary bodies; but among other nationalities and newer missions interference in cases of "religious persecution," in suits for debt, and even in criminal cases, is only too common. The strength of a chain is that of its weakest link, and the rights of the missionary in the interior will have to be tested, not by the conduct of the decent majority, but by that of an aggressive minority bent, for one reason or another, on extending their own extraordinary rights to Chinese converts who otherwise must

share such justice as is meted out to their fellow subjects. Some day the missionaries will have to decide whether they will be content with protection to their own persons and property, or will lose even that in an attempt to secure to their converts a measure of justice denied to them when heathen.

All this, however, is a small matter when compared with the injury done to foreign reputation by the misuse of extraterritoriality in commercial questions. The treaties have secured to foreigners many privileges denied to Chinese. It is no part of my present purpose to inquire if these privileges are equitable or not; it is enough to say that they will be maintained so long as foreign nations are strong enough to insist on their maintenance, and that among them are rights second only to extraterritoriality as essential conditions for foreign residence in China as she is to-day. Among them are such provisions as the retention by consuls of the control over shipping under their national flag, the levy of uniform customs duties, the registration of land held by foreigners at their consulates, etc. Protection is thus given to foreigners in their daily business, such as Chinese do not enjoy; and it would be unreasonable to expect that no foreigner would be found ready, for a consideration, to lend a corner of his flag to cover the nakedness of the poor Chinaman. Among the foreigners resident in China there is the same proportion of good, bad, and indifferent as among the same class in the home lands, and the malpractice is common; but while the abuse of the flag provides a decent income to many among them, it causes great injury to the legitimate commerce of the countries from which they come, and disorganizes the methods of administration, right or wrong, just or unjust, of the land in which they live. Because an American can take certain goods from one place to another for a hundred dollars in taxes, while it would cost a Chinese twice that sum, provides no reason good in the eyes

of the American nation, the American manufacturer, or the legitimate American trader, why the Chinese should be allowed to save half his outgo by the misuse of the American flag. The differential taxation is a matter between the Chinaman and his own government, and is no concern of the American nation; and yet, if an American has lent his name to the transaction, the American consul is bound to intervene to protect the Chinaman's goods. This is only one example of many in which extraterritoriality is abused to give to Chinese a protection from their own officials to which they could otherwise lay no claim.

Instances have been known where a foreigner with no capital, not a penny, opened branch firms in several places and ran steamers in his name and under his flag, but had no share in the working of the business, and was never heard of — except when it became necessary to call a case out of the Chinese magistrate's *yamen* to the foreign consular court. In one instance a small steamer was transferred within a few months, first to the British, then to the French, then to the American, then to the Italian flag, in order to keep her out of the Chinese court to which both the claimants to her ownership were subject; the transfers were frequent because the case was too notorious to be upheld even by the lax methods of China; but the legal machinery was there and was used. Each power professes to wish to stop these abuses, but nothing can be done except by unanimous consent of all the seventeen treaty powers: one recalcitrant power would provide for its nationals a rich harvest from the traffic denied to other foreigners, and it is unlikely that anything will be done, unless the great commercial nations put their foot down and say to the smaller powers, "This shall go no farther."

These are relatively minor defects, only important in so far as they tend to weaken the arguments of the upholders of extraterritoriality, which, with its concomitant privileges, is to-day, as it has been for

sixty years, an essential condition of the residence and business of foreigners in China; and the right will not, and cannot, be abrogated until the foreign powers concerned are unanimous in their opinion that residence in China will be as safe,

and protected by guarantees as sound, as in other countries, — or until the growing strength and improved administration of China herself enables her to claim and to maintain the right of governing all within her borders.

THE AMERICAN GRUB STREET

BY JAMES H. COLLINS

NEW YORK's theatres, cafés, and hotels, with many of her industries, are supported by a floating population. The provinces know this, and it pleases them mightily. But how many of the actual inhabitants of New York know of the large floating population that is associated with her magazines, newspapers, and publishing interests? — a floating population of the arts, mercenaries of pen and typewriter, brush and camera, living for the most part in the town and its suburbs, yet leading an unattached existence, that, to the provincial accustomed to dealing with life on a salary, seems not only curious but extremely precarious — as it often is.

The free-lance writer and artist abound in the metropolis, and with them is associated a motley free-lance crew that has no counterpart elsewhere on this continent. New York's "Grub Street" is one of the truest indications of her metropolitan character. In other American cities the newspaper is written, illustrated, and edited by men and women on salaries, as are the comparatively few magazines and the technical press covering our country's material activities. But in New York, while hundreds of editors, writers, and artists also rely upon a stated, definite stipend, several times as many more live without salaried connections, sometimes by necessity, but as often by choice. These are the dwellers in Grub Street.

This thoroughfare has no geographi-

cal definition. Many of the natives of Manhattan Island know as little of it as do the truck loads of visitors "seeing New York," who cross and recross it unwittingly. Grub Street begins nowhere and ends nowhere; yet between these vague terminals it runs to all points of the compass, turns sharp corners, penetrates narrow passageways, takes its pedestrians up dark old stairways one moment and through sumptuous halls of steel and marble the next, touching along the way more diverse interests than any of the actual streets of Manhattan, and embracing ideals, tendencies, influences, and life currents that permeate the nation's whole material and spiritual existence. Greater Grub Street is so unobtrusive that a person with no affair to transact therein might dwell a quarter-century in New York and never discover it; yet it is likewise so palpable and vast to its denizens that by no ordinary circumstances would any of them be likely to explore all its infinite arteries, veins, and ganglia.

Not long ago there arrived on Park Row for the first time in his life a newspaper reporter of conspicuous ability along a certain line. In the West he had made a name for his knack at getting hold of corporate reports and court decisions several days in advance of rival papers. Once, in Chicago, by climbing over the ceiling of a jury-room, he was able to publish the verdict in a sensational mur-

der trial a half hour before it had been brought in to the judge. A man invaluable in following the devious windings of the day's history as it must be written in newspapers, he had come to Park Row as the ultimate field of development for his especial talent. To demonstrate what he had done he brought along a thick sheaf of introductory letters from Western editors. There was one for every prominent editor and publisher in the New York newspaper field, yet after all had been delivered it seemed to avail nothing. Nobody had offered him a situation.

"The way to get along in New York is to go out and get the stuff," explained a free-lance whom he fell in with in a William Street restaurant. "Get copy they can't turn down, — deliver the goods."

In that dull summer season all the papers were filled with gossip about a subscription book that had been sold at astonishing prices to that unfailing resource of newspapers, the "smart set." Charges of blackmail flew through the city. Official investigation had failed to reveal anything definite about the work, which was said to be in process of printing. In twenty-four hours the newcomer from the West appeared in the office of a managing editor with specimen pages of the book itself. Where he had got them nobody knew. No one cared. They were manifestly genuine, and within two hours a certain sensational newspaper scored a "beat." At last accounts he was specializing in the same line, obtaining the unobtainable and selling it where it would bring the best price.

This is one type of free-lance.

At the other end of the scale may be cited the all-around scientific worker who came to the metropolis several years ago, after long experience in the departments at Washington. Lack of influence there had thrown him on the world at forty. Accustomed to living on the rather slender salary that goes with a scientific position, and knowing no other way of getting a livelihood, he set out to find in New

York a place similar to that he had held in the capital. He is a man who has followed the whole trend of modern scientific progress as a practical investigator, — a deviser of experiments and experimental apparatus, a skilled technical draughtsman, a writer on scientific subjects, and a man of field experience in surveying and research that has taken him all over the world. New York offered him nothing resembling the work he had done in Washington; but in traveling about the town among scientific and technical publishers he got commissions to write an article or two for an encyclopedia. These led him into encyclopedic illustration as well, and then he took charge of a whole section of the work, gathering his materials outside, writing and drawing at home, and visiting the publisher's office only to deliver the finished copy. Encyclopedia writing and illustration has since become his specialty. His wide experience and knowledge fit him to cope with diverse subjects, and he earns an income which, if not nearly so large as that of the free-lance reporter, is quite as satisfactory as his Washington salary. As soon as one encyclopedia is finished in New York, another is begun, and from publisher to publisher go a group of encyclopedic free-lances, who will furnish an article on integral calculus or the Vedic pantheon, with diagrams and illustrations, — and very good articles at that.

Who but a Balzac will take a census of Greater Grub Street, enumerating its aristocrats, its well-to-do obscure bourgeois, its Bohemians, its rakes, and evil-doers, its artisans and struggling lower classes? Among its citizens are the materials of a newer *Comédie Humaine*. The two personalities outlined above merely set a vague intellectual boundary to this world. In its many kinds and stations of workers Grub Street is as irreducible as nebulae. Its aristocracy is to be found any time in that "Peerage" of Grub Street, the contents pages of the better magazines, where are arrayed the names

of successful novelists, essayists, and short-story writers, of men and women who deal with specialties such as travel, historical studies, war correspondence, nature interpretation, sociology, politics, and every other side of life and thought; and here, too, are enlisted their morганatic relatives, the poets and versifiers, and their showy, prosperous kindred, the illustrators, who may be summoned from Grub Street to paint a portrait at Newport. This peerage is real, for no matter upon what stratum of Grub Street each newcomer may ultimately find his level of ability, this is the goal that was aimed at in the beginning. This is the Dream.

Staid, careful burghers of the arts, producing their good, dull, staple necessities in screed and picture, live about the lesser magazines, the women's periodicals, the trade and technical press, the syndicates that supply "Sunday stuff" to newspapers all over the land, the nameless, mediocre publications that are consumed by our rural population in million editions. The Bohemian element is found writing "on space" for newspapers this month, furnishing the press articles of a theatre or an actress the next, running the gamut of the lesser magazines feverishly, flitting hither and thither, exhausting its energies with wasteful rapidity, and never learning the business tact and regularity that keeps the burgher in comfort and gives his name a standing at the savings bank. The criminal class of Grub Street includes the peddler of false news, the adapter of other men's ideas, and the swindler who copies published articles and pictures outright, trusting to luck to elude the editorial police. The individual in this stratum has a short career and not a merry one; but the class persists with the persistence of the parasite. Grub Street's artisans are massed about the advertising agencies, producing the plausible arguments put forth for the world of merchandise, and the many varieties of illustration that go with them; while the nameless driftwood which floats

about the whole thoroughfare includes no one knows how many hundreds of aspirants whose talents do not suffice for any of these classes, together with the peddler of other men's wares on commission, who perhaps ekes out a life by entering as a super at the theatres, the artists' models, both men and women, who pose in summer and are away with a theatrical company in winter, the dullard, the drone, the ne'er-do-well, the palpable failure. At one end, Art's chosen sons and daughters; at the other, her content, misguided dupes.

The free-lance is bred naturally in New York, and thrives in its atmosphere, because the market for his wares is stable and infinitely varied. The demand he satisfies could be appeased by no other system. The very life of metropolitan publishing lies in the search for new men and variety. Publishers spend great sums upon the winnowing machinery that threshes over what comes to their editors' desks, and no editor in the metropolis grudges the time necessary to talk with those who call in person and have ideas good enough to carry them past his assistants. Publicly, the editorial tribe may lament the many hours spent yearly in this winnowing process. Yet every experienced editor in New York has his own story of the stranger, uncouth, unpromising, unready of speech, who stole in late one afternoon and seemed to have almost nothing in him, yet who afterwards became the prolific Scribbler or the great D'Auber. Not an editor of consequence but who, if he knew that to-morrow this ceaseless throng of free-lances, good, bad, and impossible, had declared a Chinese boycott upon him and would visit his office no more, would regard it as the gravest of crises.

New York provides a market so wide for the wares of the free-lance that almost anything in the way of writing or picture can eventually be sold, if it is up to a certain standard of mediocrity. A trained salesman familiar with values in the world of merchandise would con-

sider this market one of the least exacting, most constant, and remunerative. And it is a market to be regarded, on the whole, in terms of merchandise. Not genius or talent sets the standards, but ordinary good workmanship. Magazines are simply the apex of the demand — that corner of the mart where payment is perhaps highest and the by-product of reputation greatest. For each of the fortunate workers whose names figure in the magazine peerage, there are virtually hundreds who produce for purchasers and publications quite unknown to the general public, and often their incomes are equal to those of the established fiction writer or popular illustrator.

New York has eight Sunday newspapers that buy matter for their own editions and supply it in duplicate to other Sunday newspapers throughout the country under a syndicate arrangement. Perhaps an average of five hundred columns of articles, stories, interviews, children's stuff, household and feminine gossip, humor, verse, and miscellany, with illustrations, are produced every week for this demand alone; and at least fifty per cent of the yearly \$150,000 that represents its lowest value to the producers is paid to free-lance workers. The rest goes to men on salary who write Sunday matter at space rates. This item is wholly distinct from the equally great mass of Sunday stuff written for the same papers by salaried men. Several independent syndicates also supply a similar class of matter to papers throughout the United States, both for Sunday and daily use. This syndicate practice has, within the past ten years, made New York a veritable journalistic provider for the rest of the nation. The metropolis supplies the Sunday reading of the American people, largely because it has the resources of Grub Street to draw upon. Syndicate matter is cheaper than the provincial product, it is true; but not price alone is accountable for this supremacy of the syndicate. By the side of the workmanlike stories, articles, skits, and pic-

tures supplied by Greater Grub Street, the productions of a provincial newspaper staff on salary grow monotonous in their sameness, and reveal themselves by their less skillful handling.

The Sunday-reading industry provides a market not only for writers and artists, but also for photographers, caricaturists, cartoonists, makers of squibs and jokes, experts in fashions, devisers of puzzles, men and women who sell ideas for novel Sunday supplements, such as those printed in sympathetic inks, and the like. It is a peculiarity of our country worth noting, that all our published humor finds its outlet through the newspapers. Though England, Germany, France, and other countries have a humorous press distinctly apart, the United States has only one humorous journal that may be called national in tone. An overwhelming tide of caricature and humor sweeps through our daily papers, but the larger proportion is found in the illustrated comic sheets of the leading New York dailies; and these are syndicated in a way that gives them a tremendous national circulation. The Sunday comic sheet, whatever one wishes to say of its quality, was built in Greater Grub Street, and there, to-day, its foundations rest.

In Grub Street, too, dwells the army of workers who furnish what might be called the cellulose of our monthly and weekly publications — interviews, literary gossip, articles of current news interest, matter interesting to women, to children, to every class and occupation. As there are magazines for the servant girl and clerk, so there are magazines for the millionaire with a country estate, the business man studying system and methods, the woman with social or literary aspirations, the family planning travel or a vacation. To-day it is a sort of axiom in the publishing world that a new magazine, to succeed, must have a new specialty. Usually this will be a material one, for our current literature deals with things rather than thought; it is healthy but never top-heavy. Each new

magazine interest discovered is turned over to Greater Grub Street for development, and here it is furnished with matter to fit the new point of view, drawings and photographs to make it plain, editors to guide, and sometimes a publisher to send it to market.

Then come, rank on rank, the trade and technical periodicals, of which hundreds are issued weekly and monthly in New York. These touch the whole range of industry and commerce. They deal with banking, law, medicine, insurance, manufacturing, and the progress of merchandise of every kind through the wholesale, jobbing, and retailing trades, with invention and mechanical science, with crude staples and finished commodities, with the great main channels of production and distribution and the little by- corners of the mart. Some of them are valuable publishing properties, more are insignificant; yet each has to go to press regularly, and all must be filled with their own particular kinds of news, comment, technical articles, and pictures. Theirs is a difficult point of view for the free-lance, and on this account much of their contents is written by salaried editors and assistants. Contributions come, too, from engineers, scientists, bankers, attorneys, physicians, and specialists in every part of the country. Foremen and superintendents and mechanics in some trades send in roughly outlined diagrams and descriptions that enable the quick-witted editors to see "how the blamed thing works" and write the finished article. The American trade press is still in an early stage of development on its literary side. It has grown up largely within the past two decades, and still lacks literary workmanship. To hundreds of free-lance workers this field is now either unknown or underestimated. Yet year after year men disappear from Park Row and the round of Magazinedom, to be found, if any one would take the trouble to look them up, among the trade journals. Some of the great properties in this class belong to journalists who saw

an opportunity a decade ago, and grasped it.

The trade journals lead directly into the field of advertising, which has grown into a phenomenal outlet for free-lance energies in the past ten years, and is still growing at a rate that promises to make it the dominant market of Grub Street. A glance through the advertising sections of the seventy-five or more monthly and weekly magazines published in New York reveals only a fraction of this demand, for a mass of writing and illustration many times greater is produced for catalogues, booklets, folders, circulars, advertising in the religious, agricultural, and trade press, and other purposes. Much of it is the work of men on salary, yet advertising takes so many ingenious forms and is so constantly striving for the novel and excellent, that hardly any writer or illustrator of prominence but receives in the course of the year commissions for special advertising work, and fat commissions, too. Often the fine drawing one sees as the centre of attraction in a magazine advertisement is the work of a man or woman of reputation among the readers of magazines, delivered with the understanding that it is to be published unsigned.

The advertising demand is divided into two classes, — that represented by business firms who prepare their own publicity, and that for the advertising agencies which prepare and forward to periodicals the advertising of many business houses, receiving for their service a commission from the publishers. It is among the latter especially that the free-lance finds his market, for the agencies handle a varied mass of work and are continually calling in men who can furnish fresh ideas. One of the leading advertising agencies keeps in a great file the names and addresses of several hundred free-lance workers — writers, sculptors, illustrators, portrait painters, translators, news and illustrating photographers, fashion designers, authorities in silver and virtu, book reviewers, journalists

with such specialties as sports, social news, and the markets. Each is likely to be called on for something in his particular line as occasions arise.

This concern, for example, may receive a commission to furnish a handsomely bound miniature book on servants' liveries for a clothing manufacturer, or a history of silver plate to be privately printed and distributed among the patrons of a great jewelry house. For a simple folder to advertise a brand of whiskey, perhaps, the sporting editor of a leading daily newspaper is asked to compile information about international yacht-racing. From Union Square may be seen a large wall, upon which is painted a quaint landscape of gigantic proportions. It is a bit of thoroughly artistic design, fitting into the general color scheme of the square, and its attractiveness gives it minor advertising value for the firm that has taken an original way of masking a blank wall. This decoration was painted from a small design, made for the above advertising agency by a painter of prominence. The same agency, in compiling a catalogue of cash registers some time ago, referred to their utilitarian ugliness of design. The cash register manufacturers protested that these were the best designs they had been able to make, whereupon the advertising agency commissioned four sculptors, who elaborated dainty cash register cases in the *art nouveau* manner, for installation in cafés, milliners' shops, and other fine establishments.

Advertising requires versatility of a high order. A newspaper writer, so long as he makes his articles interesting to the widest public, is not required to give too strict attention to technicalities, — he writes upon this subject to-day and upon one at the opposite pole to-morrow. A writer for a trade journal, on the other hand, need not give pains to human interest if his technical grasp of the iron market, the haberdashery trade, or the essentials of machine-shop practice is sure. Moreover, his each year's experience in writing for a trade journal adds to his knowledge of

its subject and makes his work so much the surer and simpler. But the writer of advertising must combine human interest with strict accuracy; his subject is constantly changing, unless he is a specialist in a certain line, taking advertising commissions at intervals. To-day he studies the methods of making cigars and the many different kinds of tobacco that enter therein; to-morrow he writes a monograph on enameled tin cans, investigating the processes of making them in the factory; and the day after that his topic may be breakfast foods, taking him into investigations of starch, gluten, digestive functions, diet and health, and setting him upon a weary hunt for synonyms to describe the "rich nutty flavor" that all breakfast foods are said to have. All the illustrative work of an advertising artist must be so true to detail that it will pass the eyes of men who spend their lives making the things he pictures. The Camusots and Matifats no longer provide costly orgies for Grub Street, sitting by meekly to enjoy the flow of wit and banter. They now employ criticism in moulding their literature of business. It was one of them who, difficult to please in circulars, looked over the manuscript submitted by an advertising free-lance with more approval than was his custom. "This is not bad," he commented; "not bad at all — and yet — I have seen all these words used before."

An interesting new development of advertising is the business periodical, a journal published by a large manufacturer, usually, sent out monthly to retail agents or his consuming public. In its pages are printed articles about the manufacturer's product, descriptions of its industrial processes, news of the trade, and miscellany. Many of these periodicals are extremely interesting for themselves. There must be dozens of them in New York — none of the newspaper directories list them. Writers who are not especially familiar with the product with which they deal often furnish a style of matter for them that is valued for its

fresh point of view and freedom from trade and technical phraseology. These publications range from journals of a dozen pages, issued on the "every little while" plan for the retail trade of a rubber hose manufacturer, to the monthly magazine which a stocking jobber mails to thousands of youngsters all over the land to keep them loyal to his goods.

This, then, is the market in its main outlines. But a mass of detail has been eliminated. In groups large and small there are the poster artists who work for theatrical managers and lithographers; the strange, obscure folk who write the subterranean dime-novel stories of boyhood; the throngs of models that go from studio to studio, posing at the uniform rate of fifty cents an hour whether they work constantly or seldom; the engravers who have made an art of retouching half-tone plates; the great body of crafts-and-arts workers which has sprung up in the past five years and which leads the freelance life in studios, selling pottery, decorated china, wood, and metal work to rich patrons; the serious painters whose work is found in exhibitions, and the despised "buckeye" painter who paints for the department stores and cheap picture shops; the etchers, the portrait painters, and "spotknockers" who lay in the tones of the crude "crayon portrait" for popular consumption — these and a multitude of others inhabit Greater Grub Street, knowing no regularity of employment, of hours, or of income.

While its opportunities are without conceivable limitation, Grub Street is not a thoroughfare littered with currency, but paved with cobblestones as hard as any along the other main avenues of New York's life and energy. The Great Man of the Provinces, landing at Cortlandt or Twenty-third Street after an apprenticeship at newspaper work in a minor city, steps into a world strangely different from the one he has known. For, just to be a police reporter elsewhere is to be a journalist, and journalism is the same as literature, and literature is honorable,

and a little mysterious, and altogether different from the management of a stove foundry, or the proprietorship of a grocery house, or any other of the overwhelmingly material things that make up American life. Times have not greatly changed since Lucien de Rubempré was the lion of Madame de Bargeton's salon at Angoulême, and this is a matter they seem to have ordered no better in provincial France. To be a writer or artist of any calibre elsewhere breeds a form of homage and curiosity and a certain sure social standing. But New York strikes a chill over the Great Man of the Provinces, because it is nothing at all curious or extraordinary for one to write or draw in a community where thousands live by these pursuits. They carry no homage or social standing on their face, and the editorial world is even studied in its uncongeniality toward the newcomer, because he is so fearfully likely to prove one of the ninety-nine in every hundred aspirants who cannot draw or write well enough. The ratio that holds in the mass of impossible manuscript and sketches that pours into every editorial office is also the ratio of the living denizens of Grub Street. The Great Man of the Provinces is received on the assumption that he is unavailable, with thanks, and the hope that he will not consider this a reflection upon his literary or artistic merit.

So he finds himself altogether at sea for a while. No Latin Quarter welcomes him, for this community has no centre. His estimates of magazine values, formed at a distance, are quickly altered. Many lines of work he had never dreamed of, and channels for selling it, come to light day by day. To pass the building where even *Munsey's* is published gives him a thrill the first time, yet after a few months in New York he finds that the great magazines, instead of being nearer, are really farther away than they were in the provinces. Of the other workers he meets, few aspire to them, while of this few only a fraction get into their pages. He calls

on editors, perhaps, and finds them a strange, non-committal caste, talking very much like their own rejection slips. No editor will definitely give him a commission, even if he submits an idea that seems good, but can at most be brought to admit under pressure that if the Great Man were to find himself in that neighborhood with the idea all worked up, the editor *might* be interested in seeing it, perhaps even reading it — yet he must not understand this as in any way binding . . . the magazine is very full just at present . . . had n't he better try the newspapers, now? For there are more blanks than prizes walking the Grub Street paving, and persons of unsound minds have been known to take to literature as a last resort, and the most dangerous person to the editor is not a rejected contributor at all, but one who has been accepted once and sees a gleam of a chance that he may be again.

If the Great Man really has "stuff" in him he stops calling on editors and submits his offerings by mail. Even if he attains print in a worthy magazine, he may work a year without seeing its notable contributors, or its minor ones, or its handmaidens, or even its office-boy. Two men jostled one another on Park Row one morning as they were about to enter the same newspaper building, apologized, and got into the elevator together. There a third introduced them, when it turned out that one had been illustrating the work of the other for two years, and each had wished to know the other, but never got around to it. An individual circle of friends is easily formed in Grub Street, but the community as a whole lives far and wide and has no coherence.

What ability or skill the Great Man brought from his province may be only the foundation for real work. There will surely be extensive revising of ideals and methods. A story is told of a poet who came to the metropolis with a completed epic. This found no acceptance, so after cursing the stupidity of the public and

the publishers, he took to writing "Sunday stuff." Soon the matter-of-fact attitude of the workers around him, with the practical view of the market he acquired, led him to doubt the literary value of the work he had done in the sentimental atmosphere of his native place. Presently a commission to write a column of humor a week came to him, and he cut his epic into short lengths, tacked a squib on each fragment, and eventually succeeded in printing it all as humor at a price many times larger than the historic one brought by *Paradise Lost*. Another newcomer brought unsalable plays and high notions of the austerity of the artistic vocation. Three months after his arrival he was delighted to get a commission to write the handbook a utilitarian publisher proposed to sell to visitors seeing the metropolis. This commission brought not only a fair payment for the manuscript on delivery, but involved a vital secondary consideration. The title of the work was "Where to Eat in New York," and its preparation made it necessary for the author to dine each evening for a month in a different café at the proprietor's expense.

This practical atmosphere of Grub Street eventually makes for development in the writer or artist who has talent. It is an atmosphere suited to work, for the worker is left alone in the solitude of the multitude. False ideals and sentimentality fade from his life, and his style takes on directness and vigor. Greater Grub Street is not given to reviling the public for lack of ideals or appreciation. The free-lance's contact with the real literary market day after day teaches him that as soon as he can produce the manuscript of the great American novel there are editors who may be trusted to perceive its merit, and publishers ready to buy.

This free-lance community of the metropolis is housed all over Manhattan Island, as well as in the suburbs and adjacent country for a hundred miles or more around. An amusing census of

jokewriters and humorists was made not long ago by a little journal which a New Jersey railroad publishes in the interest of its suburban passenger traffic. It was shown, by actual names and places of residence, that more than three fourths of the writers who keep the suburban joke alive live in Suburbia themselves.

New York has no Latin Quarter. As her publications are scattered over the city from Park Row to Forty-second Street, so the dwellings of free-lance workers are found everywhere above Washington Square. There are numerous centres, however. Washington Square is one for newspaper men and women, and in its boarding-houses and apartment hotels are also found many artists who labor in studios near by. Tenth Street, between Broadway and Sixth Avenue, has a few studios remaining, surrounded by the rising tide of the wholesale clothing trade, chief among them being the Fleischmann Building, next Grace Church, and the old studio building near Sixth Avenue. More old studios are found in Fourteenth Street; and around Union Square the new skyscrapers house a prosperous class of illustrators who do not follow the practice of living with their work. On the south side of Twenty-third Street, from Broadway to Fourth Avenue, is a row of old-time studios, and pretty much the whole gridiron of cross streets between Union and Madison squares has others, old and new. Thence, Grub Street proceeds steadily uptown until, in the neighborhood of Central Park, it may be said to have arrived.

Look over the roofs in any of these districts and the toplight hoods may be seen, always facing north, as though great works were expected from that point of the compass. Grub Street is the top layer of New York, and dislikes to be far from the roof. A studio that has been inhabited by a succession of artists and writers for twenty, thirty, forty years, may be tenanted to-day by a picturesque young man in slouch hat, loose neckerchief, and paint-flecked clothes, who eats about at

cheap cafés, and sleeps on a cot that in daytime serves as a lounge under its dusty Oriental canopy. The latter ornament is the unfailing mark of that kind of studio, and with it go, in some combination, a Japanese umbrella and a fishnet. This young man makes advertising pictures, perhaps, or puts the frames around the half-tone illustrations for a Sunday newspaper. By that he lives, and for his present fame draws occasional "comics" for *Life*. But with an eye to Immortality, he paints, so that there are always sketching trips to be made, and colors to putter with, and art, sacred art, to talk of in the terms of the technician. Or such an old studio may shelter some forlorn spinster who ekes out a timid existence by painting dinner cards or the innumerable whatnots produced and sold by her class in Grub Street.

In the newer studios are found two methods of working. Prosperous illustrators, writers, and teachers may prefer a studio in an office building, where no one is permitted to pass the night, conducting their affairs with the aid of a stenographer and an office boy. Others live and work in the newer studios that have been built above Twenty-third Street in the past decade. Few of the traditions of Bohemia are preserved by successful men and women. The young man of the Sunday supplement, and the amateur dauber, once he succeeds as a magazine illustrator, drops his slouch hat, becomes conventional in dress, and ceases to imitate outwardly an artistic era that is past. Success brings him in contact with persons of truer tastes, and he changes to match his new environment. This is so fundamental in Grub Street that the ability of any of its denizens may be gauged by the editor's experienced eye; the less a given individual dresses like the traditional artist or writer of the Parisian Latin Quarter, the nearer he is, probably, to being one.

Women make up a large proportion of the dwellers in Grub Street, and its open market, holding to no distinctions of sex

in payment for acceptable work, is in their favor. Any of the individual markets offers a fair field for their work, and in most of them the feminine product is sought as a foil to the staple masculine.

What is the average Grub Street income? That would be difficult to know, for the free-lance, as a rule, keeps no cash book. Many workers exist on earnings no larger than those of a country clergyman, viewed comparatively from the standpoint of expenses, and among them are men and women of real ability. Given the magic of business tact, they might soon double their earnings. Business ability is the secret of monetary success in Greater Grub Street. One must know where to sell, and also what to produce. It pays to aim high and get into the currents of the best demand, where prices are better, terms fairer, and competition an absolute nullity. Even the cheapest magazines and newspapers pay well when the free-lance knows how to produce for them. Hundreds of workers are ill paid because they have not the instinct of the compiler. Scissors are mightier than the pen in this material market; with them the skillful ones write original articles and books — various information brought together in a new focus. While untold thousands of impossible articles drift about the editorial offices, these same editors are looking for what they cannot often describe. A successful worker in Grub Street divines this

need and submits the thing itself. Often the need is most tangible. For two weeks after the Martinique disaster the newspapers and syndicates were hunting articles about volcanoes — not profound treatises, but ordinary workmanlike accounts such as could be tried out of any encyclopedia. Yet hundreds of workers, any one of whom might have compiled the needed articles, continued to send in compositions dealing with abstract subjects, things far from life and events, and were turned down in the regular routine. Only a small proportion of free-lances ever become successful, but those who do, achieve success by attention to demand, with the consequence that most of their work is sold before it is written.

This community is perhaps the most diversified of any to be found in a national centre of thought and energy. Paris, London, Munich, Vienna, Rome, — each has the artistic tradition and atmosphere, coming down through the centuries. But this Grub Street of the new world is wholly material, a "boom town" of the arts, embodying in its brain and heart only prospects, hopes. Its artistic rating is written plainly in our current literature. There is real artistic struggle and aspiration in it all, undoubtedly, but not enough to sweeten the mass.

Greater Grub Street is utilitarian. That which propels it is not Art, but Advertising — not Clio nor Calliope, but Circulation.

HIS READER'S FRIEND

BY AGNES REPPLIER

If the unresponsive gods, so often invoked, so seldom complaisant, would grant me one sweet boon, I should ask of them that I might join that little band of authors, who, unknown to the wide careless world, remain from generation to generation the friend of a few fortunate readers. Such authors have no conspicuous foot-hold among those opulent, symmetrical volumes that stand on drill in rich men's libraries, as well uniformed and as untried as a smart militia regiment. They have been seldom seen in the lists of the hundred best books. The committees who select reading matter for their native towns are often unacquainted with their titles. The great department stores of our great cities never offer them to the great public in twenty-five cent editions. Yet they live for centuries a tranquil life of dignified seclusion. When they are lifted down from their remote corners on the book shelves, it is with a friendly touch. The hands that hold them caress them. The eyes that glance over them smile at the familiar pages. Their readers feel for them a personal sentiment, approaching them with mental ease, and with a sweet and certain intimacy of companionship. These authors grow very shabby as the years roll by, and sometimes — though rarely — a sympathetic publisher turns his attention from the whirling vortex of new books, and gives them a fresh outfit; presents them — if he has a generous soul — with the clearest of type, the finest of paper, the richest and most appropriate of bindings. So embellished, they enjoy little dignified triumphs of their own, and become the cherished property of that ever diminishing minority who, by some happy turn of fate, are fitted to enjoy the pleasure which literary art can give.

Such a writer — half forgotten, yet wholly beloved — is James Howell, "clerk of the Council in Extraordinary," under Charles I, "Historiographer Royal," under Charles II, author of three score works now laid to rest, and of the *Familiar Letters*, which can never be laid to rest until accurate observation, a lively narrative, and a genius for seizing the one right word have lost their power to please. A student of the world was James Howell, a man of wide experience and of fluctuating fortunes. The descendant of an old and honorable Welsh family, with titled relatives of whom he felt reasonably proud, he was yet poor in estate, as befitted one of a country clergyman's fifteen children; so that while his elder brother was the august Bishop of Bristol, his younger ones were apprenticed to trade, like lads of ignoble birth. Being, happily, but the second son, his own tuition was of the best. Sent to a "choice methodical school" at Hereford, he was early beaten into a love of learning; and at Oxford he acquired — or so at least he says — "the patrimony of a liberal education." Thus equipped, it behooved him to carve his own career; and the congenial fashion in which he set about accomplishing this difficult task was by traveling for three years as the agent of a London glass factory, the owners of which sought to obtain workmen, materials, and inspiration from the great artistic centres of Europe.

Never was a happier chance thrown in a young man's way. Never was there a more cheerful and observant voyager. Byron's sensible axiom, "Comfort must not be expected by folks that go a pleasuring," expressed to perfection young Howell's point of view. "Rocked and shaken" at sea, beset by countless diffi-

culties on land, he ever stoutly maintained "that though these frequent removes and tumblings under climes of differing temper were not without some danger, yet the delight which accompany'd them was far greater; and it is impossible for any man to conceive the true pleasure of peregrination, but he who actually enjoys, and puts it into practice." Before quitting England, he obtained a warrant from the Council, authorizing him to remain for three years on the Continent, and to visit any spot he chose, with the exception of Rome, and St. Omer, where stood the great Jesuit college. Such was the parental care which Protestant England in King James's day took of her children's faith, — an astute precaution for the most part, but needless in this particular case. Howell possessed all his life that tolerance, almost amounting to sympathy, for other people's creeds which can be trusted to leave a man serenely rooted in his own. He never offered friction enough to light a fresh fire. His admiration for the famous shrine at Monserrat was as untroubled by pious scruples as was his admiration for the Arsenal of Venice, or the wine of Valentia. When he found himself without funds in Turin, he philosophically joined a band of pilgrims, and "with gentle pace and easy journeys," proceeded on foot to Lyons. It is true that in a letter written years later to Sir Edward Knight, a letter in which he confesses ample tolerance for Turk and infidel, as bearing "the same stamp that I do, though the inscription differ," he adds somewhat unexpectedly that he "could be content to see an Anabaptist go to Hell on a Brownist's back:" but this was the expression of a civic rather than of a religious animosity. Turks stayed in Turkey, out of sight and hearing; and infidels went their regrettable way in silence. But for "those schismatics that puzzle the sweet peace of the church," as well as for all who were "pendulous and bragging in religion," he had a strong instinctive dislike. The passion for controversy which flamed high in his

day left him wholly and happily unconcerned.

This mental calm permitted Howell to enjoy the ripe fruits of that great Latin civilization which was then ebbing slowly from its marvelous heights of fulfilment. The beauty and the glory of Italy held him spell-bound. What generous epithets he lavishes upon those superb cities whose very names set the world's heart a beating. "Venice the rich, Padua the learned, Bologna the fat, Rome the holy, Naples the gentle, Genoa the proud, Florence the fair, and Milan the great." The first beautiful woman, he tells us, was made of Venice glass, lovely, and brittle withal; and "Eve spake Italian when Adam was seduced," for in what other tongue could she have been so irresistible? Notwithstanding the injunction of the Council, he made his way to Rome, and, with a swift and sure intuition, — rare in the island-born, — pronounces it "Communis Patria." "For every one that is within the compass of the Latin Church finds himself here, as it were, at home, and in his mother's house, in regard of interest in religion, which is the cause that for one native, there be five strangers that sojourn in this city."

For Spain, too, Howell has his meed of praise, extolling alike the manners of the great, who never gave an alms save with courtesy, and the self-respect of the poor, whom he found to be sturdy and rational, with none of the servility of the down-trodden French peasant. He warms into eloquence over the free Biscayan shore, virgin of Moors for seven hundred years, and tells us that the King of Spain always pulled off one shoe before treading on that honored soil, which he is proud to compare to unconquered Wales. His characteristic closeness of observation is everywhere apparent, whether it be in a brief and careless statement, as "T is no new thing for the French to be always a-doing; they have a stirring genius;" or, in the epitomized history of the Netherlands which he "huddled up" a few years later at Antwerp, and which is concise,

graphic, tolerant, entertaining, everything — save perhaps accurate — that history ought to be.

On his return to England, Howell was engaged as a traveling tutor for the two young sons of Lord Savage; but unable or unwilling to fill so responsible a post for Roman Catholic pupils, he reluctantly abandoned this "dainty race of children," and accepted a somewhat similar position with Richard Altham, son of Baron Altham, and "one of the hopefulest young men of this kingdom." In 1622, he had the rare good fortune to be appointed a royal agent, and sent to Spain in the interests of the Turkey Company, which claimed compensation from the Spanish government for the seizure of one of its ships by the Viceroy of Sardinia. Full of hope, and proud of the importance of his mission, Howell flung himself with ardor into a business which might reasonably have discouraged an older man. He read *all* the papers pertaining to the suit, "and I find they are higher than I in bulk, tho' closely press'd together;" he pushed his claim whenever and wherever he could find a hearing; he made perceptible progress, and was confident of success, when suddenly on the evening of March 7, there appeared in Madrid two English travelers, Mr. John Smith, and Mr. Thomas Smith, who within a few hours were discovered to be Charles, Prince of Wales, and the Marquis of Buckingham.

A more disastrous episode for Howell, or a more fortunate one for his readers, it would be hard to imagine. Nothing can be livelier than his account of this strange adventure, which set the world agape. How Mr. Thomas Smith (Buckingham), "with a portmanteau under his arm," knocked at Lord Bristol's gates, while Mr. John Smith (the Prince) waited in the dark on the other side of the street. How Lord Bristol, "in a kind of astonishment," conducted his strange visitors into his bed-chamber, and sent off a post that night to England, to acquaint the King of their arrival. How the Spanish

court was thrown into confusion, and the Infanta — for whose sake the Prince had hazarded this voyage — began, like fair Katharine of France, the ardent study of English. How the Prince leaped the wall of the Casa de Campo to have a speech with his lady, and she fled shrieking from so bold a wooer. How the common people of Spain were mightily pleased with the Englishman's gallantry, and swore that he and their Infanta should have been wedded the night he reached Madrid. How Lord Bristol, in anticipation of the marriage ceremony, caused thirty new liveries of watchet velvet and silver lace to be made for his household, "the best sort whereof were valued at eighty pounds a livery;" — and we prate now about the ruinous expenses which our ambassadors are forced to meet! How, after months of excitement, the bubble collapsed, the great match came to naught, and the affronted Spaniards were left in no mood to conciliate England, or reimburse the Turkey Company; — all these things are described in the *Familiar Letters* with a wealth of picturesque detail which only an eye-witness can supply.

The failure of his negotiations left young Howell rich in nothing but experience, and we find him next acting as secretary to Lord Scroop, "a stable home employment," with which he was marvelously well content. By this time King James was dead, the Scottish doctors had ceased muttering dark doubts concerning the plaster which the Countess of Buckingham had applied to His Majesty's stomach, and Charles the First had begun, under melancholy auspices, — which the letters do not fail to note, — his unhappy and disastrous reign. In 1628, Howell was sent to Parliament, as member for Richmond; and in 1632, the Earl of Leicester, then quitting England as Ambassador Extraordinary to the court of Denmark, offered him the post of secretary, — an offer immediately accepted. The purpose of the embassy was to condole with the Danish king on the death of the Queen Dowager, grandmother of

Charles the First, — a lady of great thrift and enterprise, who was reputed to have been the richest queen in Christendom. A merry condolence it was, as befitted the mourning of an heir. To Howell, as orator, was consigned the congenial task of making three long Latin orations, — one to the King of Denmark, one to his eldest son, Prince Christian, and a third to Prince Frederick, Archbishop of Bremen. After these preliminaries were over, the real business of mourning began, and Howell betrays a justifiable pride at the ability of an English nobleman to cope with the mighty drinkers of the north.

"The King feasted my Lord once, and it lasted from eleven of the clock till towards the evening, during which time the King began thirty-five healths, — the first to the Emperor, the second to his Nephew of England, and so went over all the Kings and Queens of Christendom; but he never remembered the Prince Palsgrave's health, nor his niece's, all the while. The King was taken away at last in his chair, but my Lord of Leicester bore up stoutly all the while; so that when there came two of the King's Guard to take him by the arms, as he was going down the stairs, my Lord shook them off, and went alone.

"The next morning I went to Court for some despatches, but the King was gone a-hunting at break of day; but going to some other of his officers, their servants told me without any appearance of shame that their masters were drunk over night, and so it would be late before they would rise."

It was after his return from this diplomatic mission that Howell, disappointed in his hopes of office, settled in London, and "commenced author" with the publication of *Dodona's Grove, or the Vocall Concert*, and of a poem, *The Vote*, dedicated as a New Year's gift to the king. There is little doubt that he was at this time a royalist "intelligencer," and that his ingrained habit of collecting news made him a useful servant of the crown. It was a difficult and somewhat danger-

ous game to play, — rewards and penalties following in quick succession. In August, 1642, he was appointed Clerk of the Council in Extraordinary, and four months later he was arrested by order of the Long Parliament, and summarily committed to the Fleet, then used as a prison for political offenders as well as for less fortunate debtors.

In the Fleet Howell remained (I will not say languished for he was not the type of captive to languish) for eight long years. He always stoutly maintained that he was imprisoned for loyalty to his king; but Anthony à Wood asserts with some churlishness that he was arrested for debt, "being prodigally inclined." The truth seems to be that his debts afforded a reasonable excuse for his imprisonment; and that Parliament had no mind to set him free while there was still a field for his activities. Perhaps the Fleet saved him from greater perils. It certainly afforded him both an opportunity and an incentive to write. We owe a great deal in letters to those long leisurely captivities, which gave the prisoner solitude, quiet, time for meditation, an opening for philosophy, and — if he were nobly disposed — a chance to purge his soul, to refine it in the fires of affliction.

Stone walls do not a prison make,
Nor iron bars a cage;
Minds innocent and quiet take
These for a hermitage.

Howell, it is true, petitioned resolutely for his release, — how could a man do less? — but he wrote many more profitable things than petitions during the eight years that he remained in the Fleet. Among a score of books and pamphlets dating from this period are his *Perfect Description of the People and Country of Scotland*, — a work which Scotchmen were never known to love; and *Instructions for Forreine Travel* (the earliest forerunner of Murray), with a dedication in verse to the young Prince of Wales, in which that promising youth is likened — on the score of swarthinness, there being no other points of resemblance, — to the

Black Prince. In 1645 appeared the first volume of letters under the comprehensive title, *Epistolæ Ho-Eliaæ: Familiar Letters, Domestick and Foreign, divided into Sundry Sections, partly Historical, Political and Philosophical*, — a title which conscientiously told all it had to tell. The book was dedicated to the King in a few simple and sensible words, its author venturing to remind His Majesty that many of its pages recalled his own royal deeds. "And 't is well known that letters can treasure up and transmit matters of State to posterity with as much faith, and be as authentic registers, and safe repositories of truth as any story whatsoever."

The success of the venture induced Howell, who sorely needed money, to publish a second volume of letters while he was still in the Fleet, and a third and fourth after his release in 1651. By this date, England, for the first time in all her glorious history, had no longer a king to accept panegyrics; and Howell, nothing daunted, turned his attention to the Lord Protector, to whom in 1655 he dedicated a pamphlet entitled *Some Sober Inspections made into the Carriage and Consults of the late Long Parliament*. Exulting, not unnaturally, in the overthrow of his old enemies, he compared Cromwell's drastic measures with those of that somewhat arbitrary ruler, Charles Martel, which commendation, though much censured by royalists, seems to have been tolerably sincere. Howell loved and revered the monarchy. It was his reasonable hope that Charles the Second would at some distant day succeed to his father's throne; but in the mean time Cromwell was a strong man armed keeping his court, and those things were in peace which he possessed. Like Carlyle, Howell had a natural taste for "one man power," and profoundly distrusted that "wavering, windy thing," that "humoursome and cross-grained animal," the common Englishman, or, indeed, the common citizen of any land. The tolerant king understood, and probably sympathized with this men-

tal attitude, for, a year after the Restoration he granted the author two hundred pounds from his privy purse; and subsequently appointed him to the office of Historiographer General, with a salary of one hundred pounds a year, which — like most salaries of the period — was seldom or never paid.

To the end of his life Howell wrote with the unabated industry of a needy man. That he felt himself ill-used is proved by his sarcastic *Cordial for Cavaliers*, in which he essays to console his fellow sufferers for the supposed neglect of their monarch by proffering them a wealth of bitter and unsustaining philosophy. A fusillade of broadsheets followed its publication; for Howell had his enemies, and some of them were of the opinion that the man who had so enthusiastically compared Cromwell to Charles Martel should have been more modest in demanding rewards from Charles Stuart, who, indeed, would have needed a world as wide as Alexander's to have satisfied all petitioners. It is pleasant to know, however, that when Howell died, at the ripe age of seventy-one, he was able to leave a number of small legacies, among them two to his sisters, Gwin and Roberta-ap-Rice, — names that thrill the ordinary reader with delight. He was buried by his own desire, in the Temple Church, and his monument, for which he bequeathed the sum of thirty pounds, is still in excellent preservation, though few there are who pause to read its modest Latin inscription.

It is useless at this late date to ask capacious questions anent the integrity of the *Familiar Letters*. Of the three-score works, ranging from broadsheets to folios, which Howell left behind him, they alone have survived the wear and tear of centuries. They have been read for nearly three hundred years, and are likely to be read with unshaken delight for at least three hundred more. That he wrote them all is certain. That some of them are the original texts, we have every reason to believe. People who received letters in

those appreciative days treasured them sacredly, and our best friend, the waste-paper basket, seems to have been then unknown. Howell would have had no great difficulty in securing the return of part of his correspondence. Moreover, it is likely that so prudent and methodical a gentleman kept copies or rough draughts of his more important letters, — a reprehensible custom which it is not for us, who in this instance profit by it, to criticise. We know, too, that it was his habit, especially while abroad, to jot down the "notablest occurrences" of each day in a "fair alphabetique paper book;" and it was from such a valuable reserve that he drew his epistolary supplies. To pronounce the letters mere fabrications on the traducing evidence of Anthony à Wood would be to fly far of the mark. They are too full of intimate detail, of local color, of little tell-tale accuracies, for any such undermining theory. But if some of them were, indeed, fresh minted in the Fleet, composed in that dim solitude, when memories of the wide sunlit world he had traversed so merrily thronged through the prisoner's mind, we, at least, have no reason to complain. It would have been hard to turn captivity to better purpose.

In the *Familiar Letters*, as in many another old and seldom acknowledged book, we find a store of curious anecdotes which have been retold ever since, to the enrichment of more modern authors. Howell listened with equal interest — and equal credulity — to the gossip of foreign courts, to the "severe jests" which passed from mouth to mouth, and to the marvelous stories of the common people. He tells us the tale of the Pied Piper of Hamelin, prefacing it with the grave assurance that he would not relate it, "were there not some ground of truth in it." He tells us of the bird with a white breast which presaged the death of all the Oxenham family; and the pleasant story of the Duke of Ossuna and the galley slaves; and about that devout Earl of Hapsburg who, by a single act of piety, laid the foundation of

his family's greatness. He tells us the pitiful tale of the Sire de Coucy, who, dying in battle with the Turk, bade his servant carry back his heart to the Dame de Fayel, whom he had long and ardently loved. This gift the lady's husband intercepted, and had it made into a "well-relished dish," which he compelled his wife to eat, assuring her it was a cordial for her weakness. When she had eaten it all, he revealed to her the truth; whereupon "in a sudden exaltation of joy, she with a far-fetch'd sigh said, 'This is a precious cordial indeed;' and so lick'd the dish, saying, 'It is so precious that 't is pity to put ever any meat upon 't.' So she went to bed, and in the morning she was found stone-dead."

Howell's style is eminently well adapted for the news-letter, for a form of composition which requires vividness and lucidity rather than grace and distinction. He writes in sentences of easy length and simple construction, discarding for the most part those sonorous and labyrinthine masses of words in which the scholarly writers of his day wrapped up their serious thoughts. A letter, he tells us, should be "short-coated and closely couch'd," and he has scant patience with those who "preach when they should epistolize." No one has ever surpassed him in the narrator's art of snatching the right word, of remembering and recording those precise details which can be trusted to give value and vraisemblance, of telling a lively and unembarrassed tale. His account of the Duke of Buckingham's murder, of the visit of the Prince of Wales to Madrid, of the hideous execution of Ravallac, are so vigorous and sympathetic, so full of intimate and significant touches, that it is hard to realize he was not always an eye-witness of the events so graphically described. He gathered his information from every available source, and often with astonishing speed. The post-master of Stilton came to his bedside to tell him that the Duke of Buckingham had been killed; and the Earl of Rutland, riding in all haste to London, alighted from his

horse to confirm the news, and to add picturesque particulars, which Howell in his turn sent off without an hour's delay to the Countess of Sunderland. It sounds like the inspired methods of the reporter.

None of the impersonality of the modern news vender, however, can be charged to Howell's account. His motto,

"As keys do open chests,
So letters open breasts,"

but faintly indicates the exhaustive nature of his unreserve. At every period of his career we see him with extraordinary distinctness. A man full of the zest of life, of sanguine temperament, of catholic tastes, of restless and indomitable energy. A man who met misfortunes bravely, and who was touched to finer issues by the austere hand of adversity. An outspoken man withal, after the fashion of his day, whose occasional grossness of tongue — or of pen — seems due less to the love of prurient things than to the absence of that guiding principle of taste, which in every age can be trusted to keep finely bred natures uncontaminate. "The priggish little clerk of King Charles's Council," Thackeray calls Howell, — perhaps because he enjoyed making Latin orations, and quotes the classics oftener than seems imperative. But of the essence of priggishness, which is measuring big things by small standards, the author of the *Familiar Letters* is nowhere guilty. A devout churchman who revered other men's creeds; a loyal English subject who loved other lands than his; a cheerful traveler who forgave France her Frenchman, and Spain her Spaniards; a philosopher whose philosophy stood the strain of misfortune, — Howell exhibits some finer qualities than the soul of a prig can sustain. A hundred years before the publication of the *Letters*, that revered scholar, Roger Ascham, wrote with pious self-content: "I was once in Italy myself; but I thank God my abode there was but nine days." A hundred years after Howell had been laid to rest, a respected English gentleman, Mr.

Edgeworth, prefaced his work on education with this complacency:

"To pretend to teach courage to Britons would be as ridiculous as it is unnecessary; and, except among those who are exposed to the contagion of foreign manners, we may boast of the superior delicacy of our fair countrywomen; a delicacy acquired from domestic example, and confirmed by public approbation."

Between these triumphant insularities let us read what the "little clerk of King Charles's Council" has to say. He is writing from Naples to one Christopher Jones of Gray's Inn.

"Believe it, Sir, that a year well employed abroad by one of mature judgment (which you know I want very much) advantageth more in point of useful and solid knowledge than three in any of our universities. You know 'running waters are the purest,' so they that traverse the world up and down have the clearest understanding; being faithful eye-witnesses of those things which others receive but in trust, whereunto they must yield an intuitive consent, and a kind of implicit faith."

It is certainly not Howell's page that mirrors forth the prig.

The *Familiar Letters* stand in little need of erudite notes. The incidents they relate, the people they describe, are for the most part well-known, or, at least, easy to know. The fantastic stories had best be taken as they stand. The dim quotations fade from our memories. The characteristic quality of the letters is their readability, and to the reader — as apart from the student — Howell is sufficient for himself. Many of his pages are dated from the Fleet, when the high hopes of youth lie dead, when the keenness of the observant traveler is dimmed, and his grossness purged by fire. He measures levelly his loss and gain, and accepts both with a half whimsical philosophy which is not too lofty to be loved. It is after three years of captivity that he writes thus to Philip Warwick:

"I have been so habituated to this pris-

on, and accustomed to the walls thereof so long, that I might well be brought to think that there is no other world behind them. And in my extravagant imaginations, I often compare this Fleet to Noah's Ark, surrounded with a vast sea, and huge deluge of calamities which hath overwhelmed this poor island. Nor, altho' I have been so long aboard here, was I yet under hatches, for I have a cabin upon the upper deck, whence I breathe the best air the place affords. Add hereunto that the society of Master Hopkins the Warden is an advantage to me, who is one of the knowingest and most civil gentlemen

that I have convers'd withal. Moreover, there are here some choice gentlemen who are my co-martyrs; for a prisoner and a martyr are the same thing, save that the one is buried before his death, and the other after."

Perhaps a sweet reasonableness of character is the quality which, above all others, holds our hearts in keeping; and so the *Familiar Letters* are sure of their remote corner on the book-shelf, and the gods — not always unresponsive — have given to James Howell the coveted boon of being from generation to generation his reader's friend.

A SOCIALIST PROGRAMME

BY JOHN GRAHAM BROOKS

THE enemies of socialism are very diligent in stating its extravagancies. These are so prolific and of such hardy growth that no movement ever lent itself to easier attack. Upon nothing do the socialists more vehemently insist than upon the severely scientific character of the thing they have in hand. Since 1848 their ablest writers exhibit *mauvaise honte* of anything like exhortation. They seem ever to be asking us merely to see what is happening in the business world: to observe the actual facts of the industrial panorama as it moves before us. It is their belief that to make us consciously alive to the main facts surrounding us is to make us socialists. "We have," says Liebknecht, "only to see the thing that *is*, to become socialists."

Yet, in spite of this wariness, no great social endeavor was ever more charged with passion elements than modern collectivism. It is above all an endeavor suffused by temperament and variations of feeling. Every whit of its science consists of phenomena interpreted by what is essentially moral temperament. It is

invariably a temperament appealing from the *is* to the *ought*. Its chief strength is, indeed, in this very feature. The existing status of competitive society is so heavily laden with inequalities and injustices of all sorts that the moral sense is generally in active revolt against it. The really great moralists of the last generation and of the present are, almost to a man, as ardently against it as any socialist.

Among a large group of social critics, there is a point of union in their moral rage against the fatalities of the competitive wage system that seems to class them with socialists. What invective could outdo the browbeating of Carlyle and of his follower, Ruskin? Hugo, Ibsen, Tolstoi, — each after his genius makes it a vocation to discredit our conventional standards. The inevitable excesses of competition, moulding such standards, are to these race-teachers merely devil's work. As much revolt as there is at any moment against these standards, so much morality is there. Not one of these masters is a socialist. Yet no one has done more than they to create the sustaining atmosphere

in which socialism finds its strength. The headway which the movement is now making in the world is largely owing to a far wider moral indignation which the collectivist safely invokes.

To point out on its ideal side this source of strength is at the same time to indicate a weakness in the socialist cause. "When we shout for ideals, it is as musical as heaven; when we discuss our practical programme, it is discordant as hell," says a French collectivist. With every step of approach toward the responsibilities of working politics, the defining of methods and ways of action brings out the temperamental differences with which socialism must more and more cope. One of the ablest English socialists, after a visit to this country, said to me, "The American comrades are a queer lot of theorists. I have found but one man among them with whom I could work in sympathy." Another says scornfully of John Burns, "Oh, John was straight until he had been two years in Parliament; then he became a fakir, as most of them do when they get positions."

This is the exact counterpart of the criticism heaped upon Millerand by former friends when he entered the Waldeck-Rousseau Cabinet in 1899 as Minister of Commerce and Industry. Definite political responsibility everywhere compels a reconstruction of all ideal formulas. The old expositions of socialism were free from embarrassments. "Let society take to itself the land and all capitalistic machinery of production. Let these be used for the common, not for the private good, as now." These copybook phrases were equal to the occasion during the régime of propaganda minus responsibility. It is because the movement at various points is passing beyond the talking stage into that of action and accountability that programme and definition alike are undergoing changes full of significance. In dramatic interest the struggle between leaders like Jules Guesde and Jaurès in France is perhaps keenest, but for instruction the recent English experience is

most illuminating. That more than fifty labor members should take their places in Parliament has had comment enough. To show what a large socialist contingent in this group proposes to do in the way of practical politics is the object of this paper. Socialist literature can nowhere show a programme more unflinching or more definite. It has the Fabian stamp of opportunism which characterizes politics under representative government. No paragraph is tainted by gray theory or by academic aloofness. It has been beaten out line by line during the last twenty years, by resolute contact with the fighting facts of English policy. The great features of this policy give an admirable perspective through which this formulated attack upon society as now organized may be seen and judged: Imperialism, the land question, education, free trade, and, overstepping all, the questions of finance, private property, and taxation.

I

Let us begin with the least revolutionary proposals. It is strictly consistent with socialist policy to attack the liquor trade by striking at the private profits connected with its distribution. Every step which narrows the area from which individuals may put rent, interest, or profits, in their pockets is the essence of socialism. A state in which these elements of wealth should pass as a whole into public treasuries would realize to the full the economic dream of the socialist. Legislation that should prevent all private persons from making profit out of liquor selling, would in that measure advance the socialist cause.

This part of the programme has been adopted, however, not merely for its theoretic consistency, but even more because of the belief that no real headway is made under present methods against the devastating effects of drink. The ablest investigations wholly independent in character, like those of Rowntree and Sherwell, confirm this view. Again, the telling evidence

of several reports upon the solid improvements made under the Gothenburg System, which "socializes profits," has been used for ten years by English socialists. In the words of the programme, "The drink trade is too profitable and too perilous to be left to the heedless greed of private enterprise." "The private trader must no longer be suffered to push his trade to the detriment of the public, and to wax rich on his customers' excess." Therefore, "Management by public authorities, in the public interest, where the salesman is a salaried official." But "the grandmothers of the temperance party" stick to their ancient nostrum. The cry is still for local veto, not because its advocates can prove that it makes for sobriety, but "because they are too old or too slow-witted to be pervious to any more modern idea."

As the socialist everywhere strikes with a kind of fury at the entire existing policy of dealing with poor laws and charities, there is nothing peculiar in this English plan. "The only way in which to reform the Poor Law is to abolish it." That any man because of misfortune or lack of property should be called a pauper and deprived of his franchise, is pronounced a meanness and indignity unworthy even of half-civilized peoples. "This rubbish should be swept away, — the aged, the sick, and the children, victims of accident or of a wrong system of wealth distribution, should be cared for, not under a special poor law, but as part of the duty of the peoples' representatives." Thus with other "rubbish" the boards of guardians are to be cast out together with all control of the Local Government Board. There is no longer to be "doling out of insufficient relief," or "workhouses more hateful than prisons." The sturdy beggar, the idle, the unemployable, are to be placed in farm colonies where a chance at least shall be given to win new habits of independence.

As a part of the above policy, old-age pensions are of course to be granted. For the whole wage-earning class of both sexes

these pensions, to be locally administered like the poor law and payable through the post-office, are to be universal, and payable probably at the age of sixty years. None of the six governments that have adopted old-age pensions has dared to put the age below sixty-five, because of the cost. This niggardly regard to fiscal difficulties has everywhere been held up to execration by socialists, so that one may presume that premiums will begin at sixty. From 1883, when the German Labor Insurance began, the socialist party united in aggressive opposition to these measures in spite of their socialistic character. They feared imperial control and expressed only contempt for the petty sums paid to labor in form of premiums. That German socialists should have changed front on this legislation marks the inevitable change, even on the continent, toward "possibilist" politics. The English programme assumes that it is to work with existing parties. Pensions, municipal trading, feeding the school children, elementary education, insurance, land-leasing to small holders, and coöperative factories, represent policies already in the arena of popular discussion. On this frontier line of agitation the socialists take their stand, "to persuade and to permeate the thought of the average elector."

The surest and best fighting ground which these socialists have chosen is unquestionably in that ugliest fact of English society, the decay of country districts. That millions should be huddled in cities living so hungrily on the margin of want and squalor, while vast stretches of fertile land maintain less than a tenth of those who could live there in plenty, is a situation that sooner or later has to be met. With a decent technical and agricultural education Denmark is actually turning her population away from the city. It is a fact immense in its significance. These socialists have so far learned their lesson as to realize the futility of the old cry "back to the land" until a broad, definite, and effective system of

education, technical and agricultural, is given to the people. The lottery charms of the city will never be broken except through the slow teaching of a new set of habits and capacities.

Models of this great achievement already exist,—not only among the Danes, but in Belgium, Hungary, Germany, and in the Irish work of Sir Horace Plunkett. They take forms as fascinating to the imagination as they are profitable to the pocket. Much of this work has of course grown without a thought of socialism in it. Some of the best of it has had collectivist inspiration from the beginning. The English programme leaves no question as to the principle. It has the element of state compulsion and the open recognition that the one adversary is the present landlord and the present capitalist. At the heart of this special task is the "organization of scientific and technical education and of coöperation in production and sale." "Every county shall have a Committee to organize agriculture just as it now has a Committee to organize education." It is to have authority "to do all that the councillors and their coöpted experts deem needful for the furtherance of agricultural prosperity." The committee must be empowered to buy land to be leased to small holders, with perfect security of tenure; and to advance stock and implements on reasonable terms and on reasonable security. Further, it must lead the way by starting dairy factories for the production of butter and cheese and the handling of milk. Lectures and classes on agricultural subjects are to be organized on a great scale, and if any recalcitrant body hesitates, there shall be "a mandamus compelling a lethargic council to action."

Two principles of economic collectivism get sharp emphasis: "the right to work" and "the minimum wage." The chief danger of the legally admitted right to work is guarded against by insisting that the unemployed shall be given "opportunity to work;" but "no one should or could have the right to ask that

he be employed at the particular job which suits his peculiar taste and temperament. Each of us must be prepared to do the work which society wants done or take the consequences of refusal."

It is no part of the writer's purpose in this paper to criticise this programme, but merely to give it faithful exposition. It is well, however, to note the fearless admission that social compulsion is to take on forms that are rather startling. The older programmes implied as much; the newest of them is bold to state the specific character of the constraint.

There is again the extreme care to avoid the pitfall of "making" or "finding" work. That little can be done with the "social failures" is taken for granted; but there are "shums to clear, houses to build, land to reform, and waste places to afford. To get work done there is need of an army of workers, engaged, not temporarily to tide over a depression, but permanently to complete an undertaking; these armies must consist, not of society's failures, paid less than a fair wage, but of men capable of earning a high one."

At the forefront is the necessity of a legally established minimum wage. A liberal ministry (1892-95) made formal declaration that the state should be a model employer. There is already recognition of "standard" wages in government employment. The foothold which this *datum* offers is seized by our socialists. Appeal is then made to the elaborate studies of B. S. Rowntree and Charles Booth, to show that there are "some five millions of men, women, and children living in families whose wage is below this minimum." There is therefore to be an established minimum of food, clothing, and housing by appointed authority. The money equivalent to this minimum, in its variations in different parts of the country, is to be settled by town and county councils. Sweating in every aspect thus becomes a penal offense. It is succinctly stated that after a fair chance to adjust their affairs, employers found paying less than the minimum are to be punished.

It is here assumed that New Zealand has already given adequate proof that this bold venture may be safely taken. The hope that these "five millions" can ever extricate themselves by voluntary action is abandoned.

II

This brings us to the towering obstacle which these Knights of the New Social Order face without blenching. How are the bills to be paid? Old-age pensions are but an item in the count; but they would cost annually at least an hundred million of dollars. With local politicians competing for favors before the electorate, probably far more than this at an early date. To make its scheme of education effective, to establish its minimum wage and remodel the poor law on lines proposed, would enhance the cost of these luxuries to very dizzying figures. There is in the programme no hint of difficulty and danger in these claims. With the whole liberal policy of retrenchment and making small taxes a boast, this programme breaks with contemptuous abruptness. Its calmly drawn fiscal policy exhibits the full revolutionary character of its proposals.

"To the socialist, taxation is the chief means by which he may recover from the propertied classes some portion of the plunder which their economic strength and social position have enabled them to extract from the workers; to him national and municipal expenditure is the spending for common purposes of an ever increasing proportion of the national income. The degree of civilization which a state has reached may almost be measured by the proportion of the national income which is spent collectively instead of individually. To the socialist the best of governments is that which spends the most. The only possible policy is deliberately to tax the rich; especially those who live on wealth which they do not earn. For thus and thus only can we reduce the burden upon the poor."

The temptation is strong to italicize

portions of this extract. The reader will do well to dwell upon it with some care, as it leaves nothing in doubt about the proposals of the ablest leaders in this movement.

From this broad principle of taxing out of existence — not all private property as it is often said, but a very large portion of the present *forms* of private property, the programme passes in detail immediately to the income tax. It is to be based first upon ability to pay, and second upon a distinction between "incomes which cease with the death or illness of the earner and those which remain whether the owner live or die." All those who owned their incomes up to five thousand pounds a year would pay less than at present. Unearned incomes above this amount would be taxed two and a half times more than at present. Then by an estimate of the ratio of earned and unearned incomes it is computed that this income would give the tidy surplus of £16,850,000 above the present beggarly shilling tax. The "estate duty" is raked by the same fire and yet upon a carefully regulated principle. Up to £1000 there are no death duties. Between that sum and £10,000, three per cent; between this latter and £25,000, four per cent; while the millionaire who now pays a "poor eight per cent" would pay fifteen. It is made clear to us that this increase is really grotesque in its moderation; nor is there the least dissembling of the ultimate purpose, when power has been won, to apply the socialist finance with no need of petty and humiliating compromising. "These suggestions," the programme reads, "are doubtless confiscatory; and that is why they should recommend themselves to the Labor Party. But even so the confiscation is of a timorous and slow-footed sort."

In the interim before the drink traffic is socialized, those who make and distribute liquors are taxed an extra seven and a half million pounds. The lightening of direct and indirect taxes upon those of small income, and the equalizing of local burdens

out of national funds, reveal the character of the bid for popular political support. The rearranging of the local and national finance is brilliant strategy, because through it vast amounts of personal property of the rich can be reached and applied at the poorer local centres throughout the realm. The principle on which this rests should be fully stated.

"A district is not rich or poor on account of its own merits or faults, but by virtue of the place it takes in the national structure." "Not only has a town a claim on the unearned increment created by its citizens and annexed by the land owners; the nation has a claim of its own. A town owes to the nation a rent based on the advantages of its position, its mineral resources, etc., an advantage measured roughly by the rate of increase of its site value."

Henry George never shrank before the fact of confiscation under his own plan of taking for social uses the entire economic rent of land. This is less serious because the highest legal authorities have decided that taxation is of the very nature of confiscation. All that George asked, however, is but an appetizer for our programme. The socialist takes this at a gulp and then gets to his real business of appropriating the vast accumulations based on interest and profits which George considered both just and socially useful. That the individual should pocket a distinctly social product (economic rent) was to the Single Taxer the sum of villainies. This is at most but petty larceny to the socialist. The grand larceny is the capitalistic system which enriches individuals, as distinct from society, through the appropriation of interest and profits as well as by area rent. This system is now assailed by organized devices far more threatening than the older socialism had at its command.

The assault began in the Australian Colonies in 1890, when trade unionism received a defeat so crushing as to turn its full strength into the political field. Most of the colonies have now an aggressive

Independent Labor Party which puts each aspiring politician upon the grill. "If you expect our votes, what guarantees do you give us that our measures shall have your support?" These tactics are now organized by a powerful contingent in the English Parliament. In the opening paragraph, after warning new members against mere talk or hopes or enthusiasms it says, "A party in Parliament can be held together, kept vital, only by a policy, — not by vague aspirations and foggy ideas, — but by a policy. A policy implies something more than a desire to attain certain definite legislation. It implies strategy, criticism, initiative, and opposition. These, to be effective, must be based upon some principle either of attack or of defense, or of both. Labor to-day is essentially aggressive; its policy is a policy of attack. The object of its hostility is Capitalistic Monopoly in all its forms, and the winning for those who work of every penny which now goes into the pockets of those who idle. Nothing is gained though much may be lost by concealments, subterfuges, reticences. The Labor Party is a party against the Landlord and the Capitalist."

III

It is a rare merit in a socialist document (or indeed in any political appeal) to avoid "concealments and reticences." In this respect the success of the present document is complete. To show the public accurately what this branch of able and disciplined socialists proposes to do, its value is beyond that of a whole library of current speculations on the theme. It tackles straight the liveliest issues in English politics. It lays bare both the principles upon which it rests and the working methods through which it proposes to win its fight. The followers are solemnly apprised of what awaits them. The party is now patted on the back because it is not feared. "Until it has made itself both disliked and feared, it will be far short of having fulfilled the object of its existence.

It is not saying too much to say that in the very near future the measure of the Labor Party's effectiveness will be its unpopularity in the House of Commons. Acrimous as are the feelings often evoked by political controversies, they are urbanity itself compared with the passions aroused by our economic issues.

"To mince matters, to seek to conceal or only half reveal the facts were mischievous as well as stupid. Inasmuch as nothing short of an economic revolution can vitally or permanently improve the wage-earner's condition, it is at an economic revolution that the Labor Party must aim, and the revolution is none the less a revolution because it takes years or even decades in the accomplishing. Years and decades of hard work, of tireless activity, of small triumphs and dismaying defeats lie before the Labor Party inside and outside the walls of Parliament, and there must be years and decades of revolutionary activity and of nothing less than that. In the course of a revolution somebody must needs suffer in mind, body, or estate. Thanks to our constitutional system and to the widely extended franchise, Labor can work out its own

salvation without injury either to the sanity or to the skins of those who shall seek to hinder it. But the estates must be attacked, and attacked with vigor and dispatch. A Labor policy which hurts nobody will benefit no one."

The immediate propaganda is to convince a stiff majority of the workers that political liberalism is a spent force. It was the politics of capitalism, and as this is now the enemy, the campaign of education is to teach labor to cut itself clean from every tradition of "the politics of exploitation." Thus every new labor member becomes in the language of the programme "one more nail driven into the coffin of the capitalist system." "Although capitalism is not yet dead, the feet of the young men who are to carry it out to burial are already upon the floor of the House of Commons." With this buoyant declaration the document closes.

It is conceded that the abhorred thing is still sturdy and vital enough to threaten society with its impudent presence for decades. Meantime, to see to it that the funeral obsequies are not too long delayed is to be the New Religion.

HENRY KOEHLER, MISOGYNIST

BY ELSIE SINGMASTER

"It is already eight-thirty. The school will now come to order."

The Millerstown school children of the grammar grade went noisily to their seats. Outside, the rain was turning the beaten play-ground into a lake; within there was an odor of drying shawls and steaming coats. The teacher, Henry Koehler, frowned down from the little platform. He was a tall, slender young man, with a round face, cut across with a long, somewhat sparse, but carefully-tended black mustache.

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"It is first of all some announcements what shall be made," he went on, when they had settled into comparative quiet. "But Ellie Shindler shall first put her desk lid down and listen once."

A desk lid in the last row was speedily lowered. From behind it appeared a round and smiling face, and a mop of brown curls.

"First, is it any one a Geography short?"

A lifted hand followed the smile and the curls.

"Please, teacher, I can't find my Geography well yesterday."

"Well, then, come and get it, and don't leave it any more where it don't belong. It is no place for the scholars' geographies on the teacher's desk."

The girl complied with disarming speed and gentleness.

"All right, teacher," she answered sweetly, as she went back to her desk.

"And you don't need to say anything back. It is yet another announcement what shall be made. It shall be no more sewing done in school at recess. Recess is not meant for sewing."

The school turned itself as one man to look at Ellie Shindler, who was the only needlewoman among them. They admired inexpressibly the pair of pillow shams at which she worked whenever the teacher's eye was not upon her.

"We won't have this morning any opening exercises," the master went on. "The A Class made yesterday such poor marks in Arithmetic that they will now take the lesson over. A Class step out."

The A Class gathered up its Arithmetic and slate and arose. It was composed of one girl, Ellie Shindler. The school giggled.

"Where are then Ollie Kuhns and Billy Knerr?" demanded the teacher.

"Ollie, he is sick," answered Ollie's little sister. "He has it so bad in his head. Billy Knerr, he threw him yesterday with a ball. But he did n't do it purpose."

"Where is Billy Knerr?"

"Billy is by my gran'pop," vouchsafed Sarah Knerr.

"All right." The teacher's tone became savage. "Ellie Shindler can go to the board, and work Example Three, on page one hundred and one."

Ellie copied the problem carefully on the blackboard. Then she set out row after row of neat figures. The teacher watched her, frowning. For all her multiplying and dividing she did not seem to arrive at the answer.

"Ellie Shindler," he said presently,

"what is the matter that you do not get sooner that example?"

"It is something that I do not understand, teacher."

"What is it?"

"Why do we here at this place —" Ellie's hand indicated one process of the problem — "why do we here at this place multiply by 3.1416?"

"Because I tell you."

"But *why* do we?" Ellie's tone was respectful but insistent.

"Why! why!" he repeated angrily. "I am sick of this 'whying.' Why is your name Ellie? Because it *is*. Why do we multiply by 3.1416? Because it shall be multiplied by 3.1416. Because the book says it and I say it."

Ellie turned meekly to the board. At the end of the twenty minutes allotted to the opening exercises she seemed no nearer a solution.

"It won't get right, teacher," she said cheerfully.

"All right," he answered grimly. "You can stay in after school — no —" he hastily, almost fearfully corrected himself. "You can work it out at home, and copy it ten times on your slate, and you can bring it in the morning to the school. Now we will have the A Class spelling."

The A Class left the board, went to her seat, and slate and pencil in hand, went back to the front of the room.

"Return." The A Class wrote diligently. This was the one subject in the grammar school curriculum in which the present A Class never failed.

"Oblige. — Rescue. — Student. — Various. — Vinous. — Dictionary. — Testament. — Tier. — Now, A Class, read once how you spell these words."

"R-e, re, t-u-r-n, turn; return," she spelled, and so down the line until she reached "t-e-a-r."

"Wrong. It is ten words and one wrong. It gives ninety for a mark."

"But, teacher, what is wrong?"

"Tear is wrong."

"But it is t-e-a-r, tear."

"Not the kind of tier what I am talk-

ing from. They have t-e-a-r in the primary school. This is t-i-e-r."

Ellie rose slowly.

"Look out that it don't give t-e-a-r in the grammar school, too," he remarked sententiously.

Ellie turned and looked at him, her lips quivering. Then she walked down the aisle, while the children smiled up at her as they would not have dared to smile at the oldest girl in school if she were in tears. The teacher caught their grimaces.

"Ellie Shindler!" he said sharply.

Ellie turned. Her lips were still quivering.

"Go to your seat."

"Yes, teacher," she answered meekly.

"The B Class spelling."

The small boys of the B Class stamped noisily out, a train of pencil boxes and books, twitched from the desks of the C Class, falling behind them. They looked half fearfully at the master, then smilingly back at Ellie Shindler. The master, however, ignored the noise and confusion. It was not the fault of the small boys that they did not behave. It was Ellie Shindler who excited them to riot. He had had no trouble with them, until, late in the fall term, Ellie had decided that she would return to school. He had not wanted her. For one thing he hated all women. His exceedingly limited conception of their usefulness had been partly inherited from his father, who had tried three wives and had found all of them wanting, and partly induced by the fact that he saw his patrimony constantly jeopardized by an increasing number of heirs, all of them girls.

"It is girls, girls, girls," he would say. "It makes me sick. I can no more have any peace. It is big girls on the front porch with beaux, and little girls on the back porch fighting. I hire them out, that is what I do, when I was Pop, or I put them in the factory."

"Why don't you get married and go off?" queried Ollie Kuhns, the elder, in whom he confided his woes.

"Get married! To a woman! Well, I guess not! Am I not already wild from these women? Shall I yet tie myself to one so I cannot get away? Shall I then fix myself, so when I want to go in the evening off, I must say, 'Dare I go?' or everywhere I go, must I have a woman along? I guess not!"

"But you would then only have one instead of — how many is it at your house?"

"It is ten, counting Mom. And I can't stand it. I go to the hotel and board."

"To the hotel! When you could live easy at home!" Ollie's economical soul was shocked almost beyond expression.

"Yes, I cannot stand any more these women."

"But it would be cheaper to get married. It is plenty nice girls."

"Who?" demanded Henry, with scorn.

"Ay, Mary Kuhns."

"She is me too stuck up."

"Well, Jovina Neuweiler."

"She! I guess not. She is ugly. They are not many good-looking ones."

"Well, Linnie Kurtz. Perhaps you could cut Jimmie Weygandt out with Linnie."

"He may have her. I don't want her."

Had Ollie Kuhns been more clever, he might have detected in Henry's vehement tones a certain bitterness. Once, five years before, he had paid court to Mary Kuhns, and she, of the many lovers, had declined him so soon and so firmly, that the mere mention of her name hurt him. No, he hated them all, and especially Ellie Shindler. She was seventeen years old, and the Millerstown girls seldom went to school after they were fifteen. No one knew why she continued, except herself, and she would not tell.

"She is plenty big enough to work in the factory," said her teacher. "She don't study nothing. When I was her Pop I settle her!"

Her Pop, however, did not receive pleasantly this advice. Some one reported to him Henry's remarks, and he took oc-

casion to meet him the next day in front of the post-office.

"I pay my taxes," he said succinctly. "You get always your pay. My Ellie can go in the school till she is fifty years old, and you dass n't say nothing. You learn her, that is all."

Ellie, however, would not be "learned." She took her sewing to school, and accomplished wonders behind her desk-lid during school hours, and at recess. She joined in the fun of the smaller children at his expense, she incited them to all kinds of mischief, she set them constantly a bad example, she reminded him every hour of the *ewig weibliche*, which he was sacrificing his hard-earned money to escape. Sometimes it seemed to him that it was she, and not his nine little step-sisters, who kept him in his miserable little room in the hotel, where the fare was bad, and the company worse, but where, at least, there were no women. Moreover — and all her other faults paled into insignificance before this crime — she was able to exert a curious influence over him. There were times when he felt himself staring at her curly head with such fixedness that he could not take his eyes away, even though he knew that in a minute the curly head would be lifted, and a smiling gaze meet his own. When she came up to the desk to hand him a book, she looked at him out of the corner of her eye in a way that made him send her savagely to her seat. He could endure her mischief, her defiance, but he could not endure her smiles. It was bad enough that she should be always smiling at Jim Weygandt and Al Matter when she met them on the street. They liked it and encouraged it. But that she should dream for one instant that he could be affected. It was insulting!

To-day it seemed as though she were "verhext" (bewitched). She had brought some candy, with which she treated the children on the last row. She failed in every lesson, and seemed dead to any sense of shame.

"What two kinds picks is it?" he asked, in a vain effort to have her distinguish between the verb and the noun.

Ellie studied the wall back of the teacher's head. From window to window ran the legend, "Everybody must talk English here." Then her eyes fell to the level of his necktie.

"It is three kinds picks," she answered slowly. "It is p-i-c-k, to pick up, and p-i-c-k, to pick with, and p-i-g, one what grunts."

The teacher glared.

"I mean p-i-c-k, spelling, not pronouncing. What is now the definition of a noun and a verb?"

Ellie shook her head. Thus the eyes of Psyche might have widened at the same question.

"I don't know, teacher."

"Is it anything you do know?" he demanded. "Am I to waste all my time teaching you when you won't learn nothing?"

Ellie answered him with a slow smile.

"Go to your seat," he commanded.

He did not remember that the scholars had ever been so unruly or so "dumb" as they were that morning. It seemed as though Ellie's stupidity had set the whole school frantic with a desire to imitate her. No one knew his lessons. Little Louisa Kuhns wailed aloud when he reproved her, — which, of all demonstrations, he disliked the most.

What should he do? Ellie Shindler would not leave school, and he could have no order while she was there. He might resign and go to work in the shoe factory, but that would mean defeat for one thing, and work which he hated, for another. This morning, he could not even have the few minutes quiet at recess, for the rain continued and there was no place for the children to stay but the schoolroom. After recess things grew even worse than before. Jakie Kemerer boldly threw a wad of damp paper at the blackboard, and hit it so squarely that the teacher, standing near, felt a drop of water on his cheek. He started down the aisle, and

Jakie leaped to his feet. He ran swiftly around the back of Ellie Shindler's chair, with the teacher close behind him. Then, doubling upon his tracks, he was about to pass Ellie once more. Then he could open the door, and once without he was safe. The teacher felt his heart swell with rage. Suddenly, however, he found an ally. A plump foot shot out from beneath Ellie Shindler's desk, and Jakie fell into the teacher's arms, and was led to the front of the room. The children looked on indifferently while he received the punishment meted out to such as throw paper wads. The louder Jakie's screams, the less impression they made.

"And now," the master went on angrily, "Ellie Shindler can come up and stand in the corner, while she tripped Jakie up. It shall be no tripping up in this school."

He scarcely knew what he said. His eyes had met her own in the moment of her coming to his defense, and he read there pity and the offer of aid. Moreover, he knew that his own eyes had responded gratefully. He hated her.

She came slowly, her lip trembling, now without any laughter lingering behind. Her shoulders drooped, she did not look at him, but went straight to the corner of the room. The children watched her, open-mouthed. Ellie Shindler obedient, subdued!

For half an hour there was peace. The C Class knew its spelling. Jakie Kemmerer settled down to his books with a celerity and willingness which he had never before exhibited after a whipping. There was not a whisper. Then suddenly the master was conscious of a stir. There was a smothered giggle from one corner of the room, an open laugh from the other. The faces of the whole school were turned toward the corner where Ellie stood. What they saw there to amuse them, he did not know. She stood meekly as before, with her hands clasped before her.

After another long half-hour he rang the bell for dismissal. He had had a

lunch put up for him at the hotel as he often did on stormy days. There was a scramble for coats and hats, then the boys charged noisily out the door, the girls following slowly after, until only Ellie Shindler remained.

"The school was already dismissed, Ellie Shindler," he said.

"I have my dinner by me," she answered sweetly.

The teacher spread his dinner out on his desk at the front of the room, and Ellie spread hers out on her desk at the back.

"I have here some raisin pie," she ventured tentatively, when the silence grew oppressive. "Will you then not have a piece?"

"I have also raisin pie," he answered shortly, quite as though hotel raisin pie were not to Ellie Shindler's raisin pie as water unto wine.

Presently Ellie put her lunch basket back in her desk, and took out her sewing. This was not recess. The teacher took from his desk a bundle of papers. He was desperately thirsty, but the water bucket stood in the corner nearest Ellie, and he would not go there for a drink. He heard her humming softly, and was irritably and angrily conscious of a desire to watch her. Then suddenly it occurred to him to make an appeal to her to leave. Nothing could hurt his pride so much, but he had tried everything else.

"Ellie," he began, "why do you come in the school?"

"To learn," she answered.

"Well, then, why don't you learn?"

"I do, some. But I am pretty dumb."

She smiled at him, and closed one eye while she tried to thread her needle. Failing, she drew the thread between her lips and tried again. The dimples which the process induced did not escape the teacher's eye.

"I wish you would stay away from the school."

Ellie dropped her sewing into her lap and looked at him.

"Yes, I mean it. I don't want you in

the school. I can't keep school when you are here. You are a — a nuisance. You are all the time making trouble. The children will not behave. I wish —"

"But, teacher, I will —"

"And I don't want no 'teachering.' I mean now what I say."

"Do you mean I should go now?"

"Yes, now, this minute."

Ellie rose slowly and folded her sewing. Then she took her books out of her desk and piled them neatly on the lid, and put the piece of raisin pie which the teacher had declined, and which she meant to save for the afternoon recess, back into the basket. She walked slowly toward the cupboard where the shawls and sunbonnets were kept, and vanished within. Then silence fell. The teacher almost held his breath. Why had he suffered so long, when all his troubles might have been so easily ended? He would strap her books together for her. But why did she not come out of the cupboard and start home? The children would soon return, and he wanted her to be gone.

"Ellie Shindler!" he said.

There was no response, and he called again, "Ellie Shindler!" Still she did not answer. The cupboard opened only into the schoolroom. She must be there. He walked slowly down the room.

"Why don't you answer?" he said. "I said you should go. Now —"

The teacher paused. Ellie stood just inside the door. Her sunbonnet hid her face, and her shawl was wrapped closely about her.

"What is then wrong that you don't go?"

Ellie's shoulders moved up and down.

"I don't want to go," she said. "I — ach, — I don't — I don't want to go!"

"Ellie —" the teacher paused again. He had flushed scarlet, and there was an uneasy expression on his face. He must not forget that he hated her, that he hated all women. All women cried. His sisters, big and little, cried when they could not have what they wanted. Nothing made him more angry than to see

a woman cry, unless it was to see her get what she cried for. What did she want? Could it be —

"Ellie Shindler —" he laid his hand on her shoulder. He felt it tremble, and a strange and unaccountable emotion suddenly took possession of him. He pushed back her sunbonnet and kissed her. She drew herself gently away.

"You scold me and want me to go," she said in a choked voice. "And then you act like this. It is not right. It —"

"Wait once." He stood with his hand pressed against his forehead. Had he gone mad? If Ellie Shindler told her father that he had kissed her, the school would not be his for a day. Who would believe him if he said that she had cried and made eyes at him, that she had led him on, him who understood all their tricks so thoroughly?

"Are you going to tell?" he demanded.

"I tell! Did you think — did you think I would tell? Ach, I will go home, I will go home!"

"Wait once." His hand was on her wrist, hurting her. He could not think. He had never been so near a woman before. Something seemed to sweep him out of himself, but even in the midst of his confusion of mind, he remembered that he had been brutal to her, and that, in spite of it, she cried at going. She stood passive in his grasp, and Mary Kuhns had not even let him touch her hand. "I — I —" he faltered. "Don't cry, Ellie." Her grief seemed suddenly a sacred thing. Then he drew a long breath. "I will marry you."

Ellie looked up at him. She put one tight-closed hand against her lips.

"Perhaps it is only that you shall not have me any more in the school," she said. "Perhaps it is only that you are afraid I will tell my Pop."

The teacher put his arm across her shoulders.

"I don't know what it is," he said, half angrily.

"Perhaps you did not mean it." Her voice trembled. Neither did she know

why she liked him better than Jimmie Weygandt and Al Mattern and all the rest.

For answer he kissed her again. Then, suddenly, he saw that she was smiling. She looked as though she had always been smiling.

"For why are you laughing?" he said roughly. "You are forever laughing."

"I? Laughing?" Her broken, indig-

nant voice denied the accusation to which her shameless eyes confessed.

"Yes, you. I — I —"

The disgrace of his capitulation swept over him. The word on his lips was almost "hate."

"You what?" From the circle of his loosening arm, Ellie looked up at him. Again her lip trembled.

"I love you," he finished weakly.

THE YEAR IN GERMANY

BY WILLIAM C. DREHER

LOOKING back over events in Germany for a year and a half, the first impression made upon the mind is that it has not been a time of great achievement in the Fatherland. We have had the Morocco question, with the Algeiras Conference, it is true; but its outcome for Germany quite fails to meet any proper standard of great achievement. The people of Germany are largely in harmony with foreign opinion upon that point. That question has now happily dropped below the horizon; but it will be necessary, in subsequent paragraphs, to give some attention to it, since the present position of Germany in European politics has been strongly influenced by the prolonged diplomatic wrangle at Paris and Algeiras.

Any observer of recent tendencies in Germany must be impressed with the restlessness and discontent of the people. The country is immensely prosperous, its military strength by sea and land is greater than ever before, its position in the intellectual struggle for existence in the world is unimpaired, — and yet one can hardly touch a sphere of the national life where discontent with existing conditions is not the prevalent note. Herr von Bethmann-Hollweg, the new Prussian Minister of the Interior, recently confessed in the Chamber of Deputies,

"A bitter feeling of discontent weighs to-day upon our public life." Everywhere the complaining tone! Now it is the isolation of Germany, which is felt to be surrounded by enemies on all sides; now it is the fruitless waste of life and money in the colonies; many are disgusted beyond measure with internal political conditions, — the lack of constitutional forms adapted to the life of a modern state, the political impotence of the people in Prussia under its antiquated electoral system, the ever-present struggle with Socialism, the division and consequent helplessness of the Liberal parties, the predominance of the Clerical party, school legislation out of harmony with the modern spirit, pronounced tendencies toward a conservative orthodoxy in the administration of the universities and the State Church of Prussia, the growing hostility between labor and capital, new taxes, — all these matters have latterly marked the points of hottest conflict. These are all substantial problems; the friction here was no mere German querulousness.

The future trade relations between Germany and the United States are a subject of the utmost importance at this moment for the commercial people of both lands. That the present provi-

sional arrangement, under which the United States gets the full advantages of Germany's commercial treaties without giving any substantial equivalent, is untenable, is fully recognized in Germany. The arrangement is so obviously disadvantageous to Germany that Prince Bülow, in proposing its ratification by the Reichstag, particularly emphasized its temporary character. It was made only to extend to June, 1907, he said, so as not to create the impression that it was to be a permanent settlement. The sentiment of the majority speakers, too, was distinctly against its prolongation beyond that date, unless the American government should meanwhile make satisfactory concessions. Even so the Conservatives and some of the National Liberals voted against the measure.

The industrial and commercial classes, while fully admitting the unfavorable nature of the provisional arrangement, were willing to accept it; but they, too, are wholly averse to the idea of continuing it indefinitely. The Central Association of German Manufacturers, a great composite organization representing the entire industries of the country, explained its agreement upon the ground that Germany is not yet ready for a tariff-war with the United States. The Association insists, however, that a prolongation would not accord with either the interests or the dignity of the German Empire; and it warns German manufacturers to prepare in good time for a tariff war, which it declares to be unavoidable if we, on our side, continue our present policy.

"Give the United States time to reflect," was the calming admonition of Count Posadowsky to impatient members of the Reichstag. Meanwhile Germans are watching eagerly for evidence that we are reflecting; but they have found little to convince them that we are preparing to approach the question in a fair give-and-take spirit. The failure of the Ways and Means Committee even to report Secretary Root's bills, designed

to carry out promises made to Germany in consideration of her extension to us of the most-favored-nation treatment, has made a most disappointing impression here. This ascendancy of the "stand-pat" element at Washington has nearly dissipated all hopes among the German people that the dominant party in the United States will consent to give Germany a just equivalent for its treaty duties.

On this side government and people alike are anxious to make a fair arrangement with us; and the government in particular, I have good reason to believe, is willing to go considerably more than half-way to meet us. Its policy toward the United States remains one of completest friendliness. The existing temporary arrangement is the fruit of that policy. The general good-will with which Germany is ready to take up the question of reciprocity deserves a hearty response from our side. It is to our advantage to cultivate her friendship and promote harmonious trade relations with her; and every consideration of decent self-respect requires that we should do our full part toward putting those relations upon a basis satisfying to both peoples. It does not comport with the dignity or the interest of our country to place before Germany the hard alternatives, either of giving us her full treaty scale of duties without any fair return on our part, or else of imposing her maximum duties, which will be equivalent to a declaration of commercial warfare and can only lead to estrangement and bitterness between Germans and Americans.

The present anomalous adjustment of our trade relations is already doing much to prejudice the general attitude of the German public toward us. It intensifies German sensitiveness and multiplies points of friction. The feeling of being treated unfairly causes the Germans to discover rudeness and ingratitude toward their country in trifling incidents, and even to snatch up with avidity false reports of how we snub the Kaiser.

The Brooklyn Library hung his portrait in a dark corridor; his splendid gifts to the Germanic Museum at Harvard were housed in a shed, — so German editors reiterated to the point of weariness. When it was shown that these statements were inventions they again touched the old and strident note of the impolite delay in setting up the Frederick monument; and, at any rate, the Americans are a thoroughly reckless and selfish people, quite incapable of appreciating the finer courtesies of international intercourse. A more substantial grievance is found in our reciprocity treaty with Cuba, which has practically shut German sugar out of the American market; and latterly the commercial press is complaining about the temporary reduction of duties conceded to us by Brazil. Needless to add, the Pan-American Congress is another manoeuvre on our part to gobble up South American trade and narrow Germany's market there.

The course of the American delegates at Algieras in steadily supporting Germany's demand for the "open door" in Morocco was a grateful assistance to German policy at a moment when it was most needed. That support was appreciated in the Wilhelm Strasse as an act of friendship, and as a chief factor in securing equality of treatment for the commerce of all nations in Morocco.

The Morocco controversy left with most other nations a distinctly disagreeable impression of the disturbing tendencies of German policy. That unfortunate struggle was opened by the Kaiser in his famous speech at Tangier, which astonished the German people not less than other nations. For the Germans had learned to acquiesce in the Anglo-French settlement, under which France was to have a free hand for its scheme of *pénétration pacifique* in Morocco. The utterances of the Imperial Chancellor in the Reichstag clearly indicated that the government accepted with good grace the general terms of that settlement. The people, too, had been schooled by

the inspired press in the theory that Germany's commercial interests in Morocco were so insignificant as not to warrant the inauguration of a large and energetic action to assert them; and this view had been generally accepted by them, barring the noisy little faction of Pan-Germans.

The chief fault of Germany's Morocco policy was, accordingly, that it was sprung upon the German people themselves without warning, without any preparation of their minds for it; hence they imperfectly comprehended it and never had any great interest in it. They did not feel that it was a matter intimately affecting the nation's interests; and while the German ambassador at Paris was asserting Germany's solidarity with Morocco, the press at home was diligently occupied in convincing the outside world that Germany would never go to war on account of that remote and insignificant state.

Despite the abruptness and lack of skill in launching its new policy, however, the government's position was logical and, within certain limits, reasonable. France and England had assumed to decide the fate of Morocco between themselves, whereas the Madrid Treaty of 1880, to which Germany was signatory, had explicitly given an international character to the Moroccan question. This was clearly an affront to Germany's dignity and an attempt to isolate her, which ought to have been objected to at once. The German government's claim that it had not been officially informed of the agreement between France and England may rest upon a difference of definitions; at any rate, it awaited France's first decided step toward the "Tunisation" of Morocco before uttering its veto. This energy on the part of Germany compelled M. Delcassé to reveal to his colleagues of the Ministry his deliberate policy of bringing on a war with Germany. The French people recoiled indignantly from his plan, and the bellicose minister fell from lack of home support. He was not a tub thrown to the German whale, but the "victim" of his own devious designs, and only in-

identally the waste-product of German policy.

And the result at Algeciras? The Berlin government had to retreat from many of its contentions, undoubtedly; yet the total outcome was not unfavorable to Germany. The principle of the "open door" was maintained, and the international character of the Moroccan question placed beyond all dispute. The "Tunisation" of the country was prevented. It was therefore but an expression of malevolence when certain foreign newspapers represented the result as a complete failure of Germany's case. She did not even get her coaling station on the Moroccan coast, wrote one American editor, although Germany had not even hinted at such a demand. Think of Germany calling an international conference as a step toward getting a coaling station!

Yet, in a larger way, Germany's Morocco policy was a mistake, even from the standpoint of her own interests. It gave a great impetus to the existing anti-German feeling abroad in the world, and impressed foreign cabinets with the conviction that Germany was ready, upon slight occasion, to create difficult and dangerous diplomatic situations. It was not shrewdly conceived on the part of Germany, since it laid bare her isolation in a way that cut deep into the national consciousness. German statesmen, indeed, consoled themselves with the reflection that the Fatherland is strong enough to stand alone, and that it were better in any case to know her true position and face it; but Algeciras did more than reveal a situation, — it created one.

The Conference proved the Triple Alliance to be practically at an end. While the directors of German policy fully accept Bismarck's dictum that treaties and alliances have validity only so long as the circumstances for which they were created exist, and while they admit that circumstances have greatly changed for Italy, still they were justly incensed at the manner in which that country deserted her ally. *Tittoni's* previous understanding

with France, carefully kept secret from Germany, gave deep offense here to government and people alike. Italy was felt to be an untrustworthy ally, and the Kaiser's failure to telegraph his sympathies to Victor Emmanuel upon the eruption of Vesuvius was rightly interpreted in and out of Germany as marking his displeasure. It was disappointing, too, to see that even Austria felt ill at ease at being left alone in Germany's company. This was shown by the cold attitude of the Austrian press, and the distinctly hostile tone of the Hungarian parliament and press, when the Kaiser was about to make his visit to Franz Joseph. Happily, however, the German monarch succeeded in disarming the apprehensions of the Austrians and, to a great extent, of the Hungarians, by that visit; and the alliance remains to all appearances intact at that point.

Another keen disappointment at Algeciras was the course of Russia. Germany had gone to such great lengths to court that country's friendship that Germans expected Russia, where it could not support Germany's proposals, at least to vote against them in discreet silence. *Lamsdorff's* publication of his instructions to Cassini to support France's position therefore naturally called forth much bitter comment. It was felt to be a gratuitous blow at German sensibilities; and when the government a few weeks later debarred the Russian loan from Germany, the people accepted its decision as an act demanded by mere self-respect. The attempts of the St. Petersburg government to frighten the Poles, and of the Constitutional Democrats to frighten the government by raising the bogey of German interference, have been received in Germany at their true value as mere subterfuges to promote selfish ends. It is certain that not the slightest disposition exists in Germany, either with government or people, to become involved in the Russian muddle. Strong a personality as the Kaiser is, he would not venture to propose so unpopular a policy as a German

invasion of Russia in behalf of the Romanoffs, or for setting up an orderly government of any kind. Why should he? A weak or dismembered Russia would be equivalent to doubling Germany's strength on her southwestern frontier.

It is pleasant to note that the relations between England and Germany have undergone a distinct improvement since the Conference. Demonstrations of sympathy directly between the two peoples, like the recent visit of fifty German editors to London, have undoubtedly had a good effect, and paved the way for a better understanding between the two governments. The unfortunate estrangement between the Kaiser and the King was ended at the recent Cronberg meeting, and a perfect reconciliation effected. Henceforth, it may be confidently hoped, a better feeling will prevail on both sides of the Channel.

Germany's colonial policy has probably at no time been so trying to the patience of the people as to-day. They have grown so weary of their colonial disappointments that a new word, "*Kolonialmüdigkeit*," — or "that tired feeling" about the colonies — has been coined to express their mental attitude. In southwest Africa the Herreros have been practically exterminated, indeed, but the tough remnants of the Witboi Hottentots still keep up the struggle from their mountain fastnesses. The hard campaigning over those thirsty wastes has kept the little German army busy for nearly three years; but the end of its struggle with disease, thirst, and human foes seems at last to be not far off. In east Africa repeated uprisings of the natives, far less warlike than those of southwest Africa, have occurred for above a year; but the handful of German troops there have been able to quell them with ease. Cameroons and Togo, the two other African colonies, are also sources of trouble in a different way. The governor of the former and the ex-governor of the latter have returned to Germany under serious charges, which are now under investigation. To add to

all these unpleasant chapters in colonial history, a grave scandal has been unearthed in the Colonial Office at Berlin. There has apparently been some "graft;" officials inexperienced in business made disadvantageous contracts in behalf of the government; and the treasury has suffered loss.

The heavy expenditure of money in the colonies, and for the increase of army and navy, necessitated an enlargement of the public revenues. The treasury had been hampered for years with an annual deficit, and the national debt has been steadily increased for a long period through loans issued nearly every year. The government proposed taxes on beer and tobacco, which are more lightly taxed in Germany than in most other countries. The German taxpayer, however, is very sensitive precisely at those two points; and the Reichstag rejected the beer tax in favor of a less productive one on breweries, and it restricted the tobacco tax to cigarettes. Besides these it adopted taxes upon collateral inheritances, automobiles, bills of lading, bonuses of directors of stock companies, unissued shares of such companies, and, finally, an extremely unpopular tax upon railway tickets. Another unpopular revenue measure was the abolition of cheap local postal rates.

It has been highly interesting during the past year or two to parallel certain movements in Germany and in foreign countries. Interesting, but not edifying. England, for example, has splendidly repelled the attack upon its free-trade system; while Germany has just committed herself more completely than ever to protection. Standing where England stood at the time of the Corn Laws, Germany has taken the opposite course by imposing higher taxes upon the bread and meat of her growing industrial and urban population. The new commercial treaties put into force last March can only be considered a reactionary step in the economic history of the country. This view is very general among the industrial and commercial classes, which feel that their

interests have been sacrificed to aid agriculture. According to the census of callings taken in 1895—later figures are not yet available—over 64 per cent of the people are engaged in other occupations than farming, gardening, animal breeding, fishing, and forestry. The latest statistics from the army recruiting offices show that less than 31 per cent of the young recruits are from the farms. Agriculture has not kept pace with the growth of the country. The amount of land planted in wheat, rye, oats, and barley is now nearly 16 per cent less per capita than 28 years ago. The animal industry has been still more laggard in following the growth of the population; and the high price of meat amounts, at this moment, almost to a national calamity. In less than two years the amount of meat consumed per capita has decreased nearly 10 per cent.

But the above comparisons do not state the whole case. The one-sided agrarian character of the treaties is bad enough for the German people; but the other treaty countries have met them by raising their import duties on many manufactured products hitherto drawn from Germany. In other words, the essence of the German government's action was that it traded off the interests of the urban population, the manufacturers and industrial workmen, who are many, in favor of her farmers, who are few. That is one cause of discontent in the Fatherland.

Another point at which tendencies in Germany present a sharp contrast with several neighboring countries is in the relations of church and state. France has disestablished the churches, and taken her schools out of clerical hands; and England is about to make public education national and reduce denominational influence over the schools to a minimum. Things are taking a wholly different course in Germany. Here the church as a political force is evidently growing stronger; and this applies to the Catholic as well as the Protestant church. The

Prussian State is becoming more and more subservient to the influence of the rigidly orthodox party, and the political power of the Catholic Church is greater in Prussia to-day than at any time since the Reformation. The monastic orders are increasing in some parts of the country at a surprising pace; and the Minister of Culture has been sharply criticised for his readiness in sanctioning the establishment of new monasteries. Moreover, the Catholics and orthodox Protestants are visibly drawing together for political as well as ecclesiastical ends. The struggle over the Prussian school law, to be treated later, showed the Conservative and Clerical parties in alliance to extend denominational influence in the schools.

Still more disappointing has been the response, in northern Germany at least, to the democratic revival which, during the past year or two, has made itself felt in most European countries. England has returned to liberalism with unexpected force; and in France radical liberalism is triumphant over its twin foes of Clericalism and Nationalism. In Belgium the Liberals adopted a decidedly democratic programme, and gained considerable ground in the June elections. In Russia the principle of autocracy has been formally abandoned, and the first experiment with representative institutions made. In Hungary the monarch was about to institute universal suffrage by decree, as a remedy for the political deadlock of the country, when a coalition ministry was formed to establish it; and manhood suffrage will be adopted within a year. In the Austrian half of the Dual Monarchy, too, universal suffrage was about to be carried through the Reichsrath with the acquiescence of the crown, when the Gautsch Ministry fell; but this failure means only a postponement for a short period.

This movement has not been without a reflex in Germany. The agitation for the extension of popular rights is vigorous in many parts of the Empire. The Kingdom of Württemberg has just re-

formed its antique constitution by eliminating from the Lower House the privileged members, "knights" and clergymen, and substituting members elected by popular vote. Baden has introduced universal suffrage, and Bavaria has changed from indirect to direct voting. In the Kingdom of Saxony, which a decade ago remodeled its election law in a plutocratic direction, the government is now trying to retrace its steps. The Oldenburg government has committed itself to universal suffrage; and in Saxe-Weimar the Liberal parties and the Socialists have formed a compact to establish it.

In the midst of this democratic movement Prussia has just carried through a slight revision of its election laws. The peculiarity of the Prussian system is that the voters of each precinct are divided into three classes according to their tax-paying ability. Each class pays one third of the taxes, and chooses one third of the electors who elect the officials and representatives in the Chamber. The result of such a division of the voters is that slightly above one sixth of them have twice as much power as the remaining five sixths. This system, put into force above fifty years ago by royal decree as a bulwark against the rising tide of democracy, has served the purpose of its authors remarkably well. It has so deadened popular interest that less than one fourth of the Prussian people take the trouble to vote in state elections, whereas above three fourths vote in national elections, where manhood suffrage prevails. In some districts less than three per cent of the voters of the third class go to the polls.

Moreover, the government has still further balked the natural political drift of the country by a steadfast refusal to make a general reapportionment of the election districts. The existing arrangement is above fifty years old. All the immense growth and shifting of the population during that time has been wholly ignored, and the system has thus acquired the additional vice of being a rotten-

borough arrangement of a most pronounced type. A painstaking statistician has made two groups of election districts having equal populations. The first of these, embracing approximately 96 districts, elects 164 members of the Chamber; while the other, of nearly 24 districts, elects only 41. The injustice to the urban and industrial population embodied in these figures appears still more intolerable when it is pointed out that the wealth per capita in the Prussian cities is \$763, as against \$360 in the rural regions; and it was precisely to the wealth of the country that the fathers of the Prussian system designed to give political power!

Prussia's stout adherence to such a monstrous electoral system has a double purpose. The control of the State is now in the hands of the country squire element from the rotten-borough districts, and the government means to keep it there, while curtailing the political rights of the cities; and the three-class division of the voters is retained as an effectual barrier against Socialism. "Only the most stupid calves select their own butchers," was Count Posadowsky's blunt reply to a Socialist resolution in the Reichstag demanding universal suffrage for all the German states. The success of the law in excluding the "butchers" is evident; the Socialists have never been able to elect a single member of the Chamber, whereas their strength would entitle them, under manhood suffrage, to at least eighty members.

The government came forward last spring with a scheme of election reform which was nothing short of comical in its bureaucratic narrowness. Several huge city districts were divided, and ten new seats in the Chamber created,—not, however, as a recognition of the rights of the urban population, but in order to facilitate the mere formalities of balloting. The number of electors in such districts had outgrown the capacity of any hall to hold them, and it became necessary to divide them in order to hold elections at all. Henceforth, too, the balloting of the

electors will occur in sections of six hundred and at different hours of the day, where the districts are very large. Hereafter, therefore, no district can outgrow the election machinery; and a Prussian Minister announces with confidence that the government will never consent to a change in the fundamental principle of the electoral system.

The ruling classes, however, have grown restive under the attacks made upon this stronghold of their power. Last winter, when the Socialists appointed many great mass meetings in Berlin for a given day to protest against the suffrage system, the government took alarm at their wild, revolutionary talk beforehand; and houses adjacent to the meeting-places were filled with policemen, while the soldiery was held in readiness at their barracks, prepared to move at a moment's notice. The majority in the Chamber, too, has grown sensitive to criticism, and has latterly broken with its good old tradition of ignoring it. It has appealed to the courts to punish some ruthless Socialist editors for the new crime of insulting the Chamber.

The suffrage question, state and national, remains in the foreground of public interest. Deep concern is felt among the masses regarding the future of the Imperial manhood suffrage system. The voices raised against it are growing bolder and more numerous; and the position toward which the majority parties are steadily drifting is that any dangerous gain of power by the Socialists will require its abolition, — by law if possible, by *coup-d'état* if necessary. So slightly is Germany committed to the democratic principle! The government, however, is giving no support to the talk about a reactionary reform of the electoral system. Several months ago Count Posadowsky formally declared in the Reichstag, in behalf of the Federated Governments, that they "stand firmly upon the basis of universal suffrage for the Empire, and will not be driven from it by any agitation from right or left."

All sorts of electoral schemes for saving the country from the inrush of Socialism are brought forward. The National Liberals have proposed, for Prussia, a system of plural voting, additional votes being allowed for property, education, and age. Others, taking their cue from Russia, would assign a fixed number of seats in the Reichstag to the various classes of the population. Before leaving this subject it may be added that Hamburg and Lübeck, which already had highly plutocratic election laws, under which the Socialists were condemned to a hopeless minority position, have just revised them in a still more anti-democratic sense.

The dread of Socialism was also the impelling force in the Prussian school legislation already referred to. Conservatives in politics and religion have become alarmed at the visible weakening of the principle of authority in the minds of the people. Especially among the working classes is the embitterment against church and state becoming more pronounced. The Protestant and the Catholic clergy alike deplore the growing estrangement of those classes, as well as the intellectual *élite* of the nation, from the church. "Religion must be preserved to the people," is a political dictum given out by the first German emperor; and the undemocratic Prussian state has no confidence in the ability of the people themselves to preserve their religion, — the arm of the law must compel its preservation. The government is dominated by a narrow fear of the modern spirit. The Minister of Culture recently amazed the country with an order banishing the writings of Ibsen, Hauptmann, and Sudermann from the seminaries in which public school teachers are trained. Especially must Socialism be placed under the ban of state and society; and a high-born nobleman in the Prussian House of Lords reflected the views of the dominant classes when he declared, "One of our sharpest weapons for subduing the Social Democracy is the denominational school."

The school law just enacted seeks to forge such a weapon. It sets up the general principle that the schools must be denominational; and it contains provisions under which children already in mixed, or so-called "simultaneous," schools can be withdrawn, and separate denominational schools organized for them. In addition to the regular boards special denominational commissions will supervise these newly created schools. The clergy, Catholic and Protestant, must be represented on the boards. The government also demanded far-reaching power to abolish home-rule in the selection of principals and teachers, but had to content itself with less sweeping changes.

The school bill called forth an exceedingly sharp controversy. About a thousand university professors, artists, and literary people signed a strong protest against its denominational features; but others favored a denominational division of the schools as making for harmony. The teachers of the country at their national convention rejected the denominational school with practical unanimity. Influential educators apprehend that the law will have just the opposite effect, religiously, from what was intended. They point out that very many of the teachers are already inwardly estranged from the church; and their disapproval of the system they are compelled to apply will now become still more intense. The estrangement of the industrial working classes, too, is expected to take on a still more aggressive form; for religion as an adjunct of the police authority of the state can no more bear good fruit in Prussia than in Massachusetts. Under a recent decision of the courts dissenting parents can be compelled by fines and imprisonment to make their children at school attend Protestant or Catholic denominational instruction. What would Americans think of compulsory Sunday schools, with the sheriff to compel attendance?

The school law will carry religious politics into municipal affairs. Already the

Catholic clergy and press are calling upon their people to organize for carrying city elections in order to seize all the denominational advantages held out to them by the law. It is evident, therefore, that the measure will foster the religious divisions of the people, and in particular perpetuate the spirit of apartness prevailing in the Catholic Church. Instead of unifying the people by giving them homogeneous ideals, it will tend to prevent the establishment of a common intellectual type.

The policy of the government in making appointments of theological professors is calling forth strong remonstrances. It was recently shown that the Ministry has been giving a steady preference to young theological teachers trained at Greifswald, the last stronghold of orthodoxy in Prussia. They are rapidly pushed into professorships, while abler men of the critical-historical school are passed over. That the universities, with their long established tradition of free investigation in every department of thought, have not remained silent, goes without saying. Their view of the ministerial policy was vigorously expressed the other day by Professor Paulsen, the well-known philosopher and pedagogist of the Berlin University, in these words: "This exclusion of the critical school means nothing less than the impoverishment of science in the theological faculties of Prussia." Partly as the result of that policy, perhaps, the number of Protestant students of theology at the Prussian universities has fallen to considerably less than half of what it was eighteen years ago; but this decline has doubtless a larger cause in the changing attitude of the educated classes toward theology in general.

Recent developments in the Social Democratic party have been interesting enough to demand the entire space of this article; but only the briefest treatment is here possible. The worst faults of the party — its overconfident dogmatism, its narrow conception of its mission as the

political organ of the proletariat, its repellent attitude toward other parties, its intolerance of intellectual differences within its own ranks, and its intransigent opposition to the existing social system — have been strongly in evidence of late; and they have determined developments within the party itself, as well as in its external relationships. Indeed, it is becoming clear that the movement has not been wisely steered. The bold declaration of its class-struggle character at Dresden three years ago, following immediately upon the prodigious gain of Socialist votes in the Reichstag elections, narrowed down its mission to representing the interests of the proletariat. That declaration gave reactionaries in all other parties a powerful argument for making common cause against Socialism, and it checked whatever disposition existed in the Radical and Liberal parties to coöperate with it. It thus did much to shatter the conviction — fully as strong outside the Socialist party as within it — that its leaders were endowed with an almost supernatural talent for shrewd party tactics.

That conviction has received a still severer blow. Revolutionary events in Russia have distorted the mental vision of the party leaders. At their national convention at Jena a year ago, Bebel, the idol of the party, impulsive, eloquent, but easily intoxicated with his own eloquence, made one of his great speeches and caused the convention to commit itself by an overwhelming vote to a foolish declaration favoring the political strike *en masse*. The result was naturally a great shock to the public, for everybody assumed that this declaration marked a line of policy to be acted upon, not a mere academic assertion of a principle. Prior to the Jena convention there was held at Cologne a congress of the Socialistic trades-unions, which, with their nearly 1,500,000 members, constitute the strong central phalanx of the party. The leaders of the unions, who have long been out of sympathy with the policy of the party, here declared against the political strike *en*

masse, which they believe would be a foolish and absurd undertaking on German soil. This lack of harmony between the unions and the party, while it did not take on a pronounced form at Jena, continued; and a conference was finally held at Berlin in February to try to effect an understanding between them.

The proceedings of that conference, just published by the party executive committee under stress of circumstances, will long remain a document of first-class importance in the history of German Socialism. Bebel here practically reversed his attitude by introducing resolutions to the effect that the executive committee does not propose to make propaganda for the political strike, but to use all its power to prevent one; and further conceded to the trades-unions the right of remaining neutral in case such a strike should break out. The proceedings showed that a sharp struggle has been in progress for years, behind the scenes, between the unions and the party management, in respect to cardinal points of policy. The leaders of the unions are fully aware that the activity of the party has been, in the main, a fruitless one, and that it has been made so by the ultra-radicalism of its leaders. The unions had kept silence hitherto, but they now announced their determination henceforth to express their views without reserve. This is significant of much, since the unions are devoted more to a policy of immediate and practical reforms than to fanciful visions of the transformed Socialistic state of the far-off future.

Bebel, accordingly, had mounted at Jena a cannon of painted wood upon the Socialist outworks. His empty show of radicalism only compromised the standing of the party with that considerable element of thoughtful men in the Liberal parties who would be glad to coöperate with the Socialists in bringing about practical, democratic reforms. Indeed, the leadership of the party has been at fault in many directions. Its policy has strongly tended to isolate and therefore weaken

it. Equally strong has been its influence in driving the government into reactionary paths. Bebel was so shortsighted as to boast, in his great speech at Jena, that he had exorcised the Chancellor's "semi-liberal principles." Bernard Shaw recently said of the German Socialists: "The tenacity with which they hold fast to their infallible, omniscient prophet, Carl Marx, and their faith in his book as the 'Bible of the working classes,' make them appear in our skeptical age as an example of childish faith and piety." That sentence aptly characterizes the dominant section of the party and marks the difference between English and German Socialism, — the one occupied in bringing about immediate results and caring little for theories, able and proud to have its representative in the cabinet; the other wasting its strength in futile theoretical controversies within its own ranks, emphasizing upon every occasion its fierce dogmatic warfare with the existing order of society, utterly shut out from political positions of influence, and proud of being a sort of martyr to its exclusive principles. In England and France Socialists are wiser.

All this is finding recognition among German Socialists, some of whom have begun to feel and deplore the political impotence to which the policy of the leaders has condemned the movement. Why, they ask, has this "Three-million Party" almost no influence upon the general policy of the country? The trades-unionists in particular are making good their promise to break their reserve, and their ablest leaders are now openly courting alliances with the Radical Liberals. Even the Socialist national newspaper organ, which had hitherto contemptuously rejected all such suggestions from the Radicals, has latterly changed its attitude and now invites their coöperation.

This subject of coöperation with the Socialists is a matter of serious discussion in the various Liberal parties. Dr. Barth, the leader of the Radical Union, has continued to argue with great force and un-

wearied zeal in favor of such a form of alliance as would give efficiency to the democratic and liberal principles common to Socialists and Liberals. He points to the obvious facts that the Socialists alone can accomplish nothing, despite their prodigious popular vote; and the Liberals, by reason of their divisions and weakness, are equally condemned to political impotence. What more natural therefore, he asks, than for Liberals to heal up their differences and form a compact with the Socialists to win elections and carry through reforms which both sides want. Hitherto, however, his voice has seemed but a cry in the wilderness. The National Liberals, a party of moribund liberalism, wholly reject the idea of coöperation; the Radical People's Party, inheriting the late Eugen Richter's irreconcilable hatred of Socialism, give no support to it; and even the leaders of the small Radical Union itself are mostly against it.

Several events, however, have happened within a year to show that the tactical policy of working with the Socialists is not without strong support with the Liberal voters. At a recent by-election in Westphalia, Radical and National Liberal voters disobeyed the call of their leaders, and elected a Socialist candidate for the Reichstag by a large majority over a Clerical; and at Darmstadt the Radical Union openly threw its strength in favor of a Socialist and elected him over a National Liberal of a reactionary type. A still more important event was the compact of the National Liberals, Radicals, and Socialists for mutual support in the elections of Baden, which succeeded in preventing the Clericals from securing a majority in the Chamber. These events have strengthened the conviction that there is much more vitality in the idea of Liberal and Socialist coöperation than the country had supposed.

The relations between capital and labor have latterly undergone a decided change for the worse. The number of strikes and lockouts has greatly increased.

In 1901, 56,000 workmen struck; two years later 85,000, and last year 408,000. The number locked out rose from 10,000 in 1902 to 118,000 in 1905. The strike of coal miners in the Rhenish-Westphalian region in January, 1905, embraced about 200,000 persons and was the largest one that Germany has ever known. The labor organizations have grown rapidly in numbers since then, and have become more aggressive in asserting their demands. In response to this changed condition the Central Association of German Manufacturers has organized the great employers of the country into one compact body. This latter has already developed great energy in fighting organized labor; and the sympathetic lockout,

its favorite weapon, has now become a more formidable disturber of social peace than the sympathetic strike. Several months ago the employers in the metal-working trades were threatening to lock out their entire force of above 300,000 workmen because strikes existed in several cities. An evil spirit of repression rules in the great Central Association. It conceives one of its chief tasks to be to fight the Social Democracy, and openly proclaims its reactionary, anti-democratic spirit. Most of its members want a law for repressing Socialism. Thus the antagonism between labor and capital has grown acute, and social peace seems to have withdrawn into the realm of illusions.

THE EYES OF MEN

BY HILDEGARD BROOKS

LEAVING his heart behind him in the steppe, young Arslan rode gloomily southward. It was all one to him whether the wind whipped up great clouds of dust, or whether the air was still and the sun burned hot in a sapphire sky: his mind was filled with Kizil-Koosh. All the way through smiling Bokhara nothing beguiled his eye or tempted him to rest. The broad Amu was no barrier, nor the wastes of shifting sand beyond it. He had chosen his route haphazard and now doggedly maintained the direction. He would, he told himself, put as many day's journeys between the girl and him as there were beads in her little carnelian necklace. Somewhere, far from the scene of his bitter renunciation, he would find a place and service. A good leader of caravans was always wanted.

One noonday as he rested under the high cool dome that spanned a wayside cistern, a strange-looking dervish glided in by the low doorway and, approaching

with the offering of a blade of grass, held out his calabash and murmured the usual benediction.

"Nothing from me," said Arslan morosely. "I am a beggar myself."

"Do Kirghiz beggars ride such fine horses as the one I saw outside?" inquired the dervish.

A Kazak does not like the nickname Kirghiz (which means robber); but the praise of his horse outweighed the offense to Arslan. He gave an account of himself.

"I am a Kasak of the Middle Hundred, of the children of Naiman," he explained. "No kin to the Black Kirghiz, who are, as is well known, descended from a dog. My horse is indeed a good one; but he is all that I own, and I have nothing to give you."

The dervish persistently held out his cup.

"The Kasaks are rich," he said in a wheedling tone. "They own great flocks

upon the steppes, and when they ride into distant countries they carry their belts full of silver. As for you, it is plain that you are at least the son of a Bek."

"I am," said Arslan, "but my father was killed in a baranta when I was a child, and our enemies drove off our flocks: I have been caravan-bash to a distant kinsman; but he has been too stingy to pay the bride-price for me, so that I might marry. Do you think he would give me silver for my journey? I tell you, I am as poor as the wolf on the steppe."

The dervish, at last convinced there were no alms to be had, withdrew to the opposite side of the cistern, and there sat down. Arslan surveyed him curiously, and with no great favor. The man wore a tall, pointed hat in place of the usual Moslem turban, his hair and beard were long and unkempt, his clothing ragged and dirty. A small leopard-skin hung over one shoulder, a mace of fantastic shape was stuck in his belt. But the queer costume did not disturb Arslan so much as the man's narrow face, long pointed nose, and thin lips. To the Tatar the Aryan physiognomy is forever unlovely. Moreover, the dervish had very dark, knowing eyes, and fixed them on Arslan.

It was still as death under the lofty vault of brick. The light came in by the round hole at the top; the face of the dervish was shaded and his eyes gleamed steadily.

"What countryman are you?" Arslan asked to break the silence.

"I come from Persia," said the dervish.

"A Sheah, then," said Arslan. He was not much versed in religious matters, but he had heard of the dissenting Persian sect.

"I am a Sheah," said the other.

"I am a Suni," remarked Arslan gravely.

"We are both followers of the Prophet," observed the Persian. "What is the difference between your faith and mine?"

"The difference, as I understand it,"

returned Arslan simply, "is that mine will earn me Paradise, while you will eternally be damned."

This did not seem to appeal to the Persian as a propitious opening to conversation. He changed the subject.

"You Kirghiz—I mean Kasaks—ride all over the world on your fine horses. Yours, I should say, could easily carry two men."

"He is strong as a camel," Arslan assented.

"If you were riding to Merv," said the Persian, "I would ask you to let me sit up behind you. I have traveled far and am footsore."

"I am not going to Merv," said Arslan.

"It is a pity," said the dervish. "Merv is the oldest city in the world, and has been the richest. It was once part of Persia, and we Persians know it, and the secrets of the ruins that surround it."

"What kind of secrets?" asked Arslan.

"Why, all the old-time splendor is buried in dust," said the dervish. "But a man who knew just where to dig near Merv, there, could make himself rich in a single night. I know a spot in Giaur Kala, as they call the place, where a few hours' digging will discover gold enough to buy ten brides,—even if they were fairer than the brides that await us in Paradise."

"That may be true," said Arslan, implying by his tone that it might also not be true. "But why do you beg, then? Why have you not made yourself rich?"

"The vows of my order forbid it," returned the dervish. "We are allowed no possessions. But we may richly reward a true believer who will do us a charity. If you, for instance, will carry me to the outskirts of Merv on your fine horse, I will take you to Giaur Kala and recite certain charms I know to drive away the evil spirits that guard the buried treasure. We Persian dervishes have all the secrets of the Magi. The spirits obey us like slaves."

"Then why don't you command them to bring you a horse of brass, like the one the Persian king sent Genghiz Khan?"

Then you would ride to Merv faster than the wind," suggested Arslan.

He meant no sarcasm; he was not skeptical. But this particular long-nosed dervish he felt inclined to mistrust.

"My vows forbid it," was the dervish's imperturbable answer. "I must walk, barefooted,—except when I am given a lift for charity."

Arslan felt this to be logical enough, and would have pursued the conversation; but there occurred an interruption. Voices sounded outside. A caravan had halted at the cistern dome. Presently there entered a number of Turkoman women with their children. Seeing strangers, they at first drew forward their head drapery to cover their mouths; but on becoming aware that one was a holy man, and the other but a youth from the steppes, unused to the stricter Mohammedan conventions, they dispensed with the form and proceeded with much chatter and laughter to spread the felts they carried, and settle down in a huddled group on the cistern's edge to nurse their babies. The Persian remained where he was, but Arslan thought it as well to give the women the place to themselves and went outside. He found the men of the small caravan attending to the horses and camels and going about the preparations for a meal; and the venerable head of the party met him with a courteous invitation to remain and eat. It was not to be resisted. Arslan had gone hungry of late. He took his seat by the pit of fire over which the Turkomans had put a whole sheep to roast. The fragrance roused in him a pitiful craving, and he forgot all about the dervish and his proffered bargain.

The meal was served within the dome, the roast being carried in on a board. The women sat apart, the men tearing off pieces of the meat for them and handing it over. Arslan and the dervish (who was also invited, for the Turkomans' hospitality will not exclude even a Persian) were treated to the choicest morsels; but there was little talk till the roast was

nearly demolished and the feasters began to wipe the fat from their fingers.

Then, to the Turkomans' surprised delight, the Persian revealed himself as well worth entertaining. He began to tell a story. When he paused he was much applauded and pressed for more. Only Arslan, being filled for the first time in many days, sat in a lethargy and hardly seemed to be listening. His dark eyes were closed to narrow slits, as if he were falling asleep, and the harassed look he had worn was smoothed from his young face. The Persian fixed him now and then with a long look as he spun out his tales; not a word he said was lost on Arslan. Were not the stories one wide web of love-adventures, and did not every item of description, every epithet of praise the storyteller applied to his heroines, apply indeed to Kizil-Koosh? Whether the Persian told of Peris or sultanas, was all one. Arslan saw his girl. Moreover, in every hero he saw himself, for the hero was always young and poor, and a traveler. The circumstances reappeared in every tale, and every tale ended happily: for the poor young hero invariably placed his confidence in the right quarter and so attained to fabulous wealth and the possession of his heart's delight.

Day declined and in the first hours of coolness the Turkomans broke up to continue their journey. Arslan roused himself and went out to look to his horse. Ready to mount, he paused awhile, considering. Then he went back and peered in at the dervish, who was still sitting cross-legged on the cistern ledge. The afternoon sun shot in through a fissure and illumined the queer embroidery on his tall, conical hat. His eyes were closed as if in weariness.

"Dervish, — will you ride?" called Arslan. His own voice startled him, ringing in the dome.

"To Merv," said the dervish quietly.

"To that place you call Giaur Kala, — to the spot of treasure," Arslan stipulated.

"Agreed," said the dervish, rising to his feet. "You take me as near as that to Merv, and I will make you as rich as a sultan."

As they rode in the amber light of sunset, the dervish up behind Arslan, holding to his belt, the lad's spirits grew wide awake. He began to sing:—

Who sits moping in the sun?
Has the falcon missed his quarry?
If I loved, I should be hunting—
But I love no one.

"How is that?" inquired the dervish.
"I thought you loved a girl."

"That was her song," Arslan explained. "It was I who sat moping in the sun, in her father's aoul, where I had come on my kinsman's errand; and she sang it to tease me. All the people in the aoul heard her and laughed. I had only looked at her swiftly, once or twice. For why should a poor caravan-bash look at such a girl as Red Bird—Kizil-Koosh? But she would not let me alone. She kept dancing past me, rolling felt with the other girls. There were six of them abreast, with their hands on their hips, hopping back and forth, pushing along the big roll of felt with their feet. So when they passed, I looked at her. Then she left the work and went and leaned in the door of her own yurt, and sang that to tease me."

"What did you do then?" inquired the dervish.

"I answered her, of course; that is expected," said Arslan. "If I had had no answer, I should have been hooted out of the aoul. I sang back a verse in her own strain, and the laugh was on her. But she sang again. We answered back and forth. I will sing you the whole thing, what she sang and what I answered." And pitching his voice high to indicate the girl's parts, Arslan sang:—

GIRL
Who sits moping in the sun?
Has the falcon missed his quarry?
If I loved, I should be hunting,
But I love no one.

ARSLAN
Falcon's eyes are keen as ever.
Let the Red Bird fly too near him—
If I loved the flesh of birds,
Would I fail to strike?

GIRL
Should the Red Bird fly too near him?
Should the Red Bird sit and wait?
If I loved, I'd love pursuit—
But I love no one.

ARSLAN
Twittering Red Bird, in the talons
Of the falcon thou shalt flutter.
If I love, thy furthest flight
Cannot save thee from my kiss.

GIRL
Twittering Red Bird hears a screaming—
'T is a falcon tries to sing.
Do they catch their prey by screaming?
I love no one—none shall kiss me.

ARSLAN
One shall catch you, one shall kiss you—
If I love, I bide my time.
Time for singing! Time for chase!
Will the Red Bird fly the Green Wolf?

"I had her there," continued Arslan, delighted with his memories. "Do you know the game of Green Wolf? A girl takes a new-slain lamb or kid on the horse before her and rides away, and you ride after. The game is to pass her at full gallop and snatch the lamb away with one hand. If you can do it, you are the Green Wolf, and she has to kiss you; but it is n't as easy to do as it sounds."

"So you proposed that game?" said the dervish.

"I dared her," continued Arslan, who was growing more and more animated and content. "And she stopped singing and disappeared into her yurt. Then everybody said I had won the contest, and laughed at her, and shouted to her to come out and give me a present: for that is the rule. After a while she came out with her nose in the air and flung me a present. It was a little necklace of carnelian beads; though a scarf, or some such thing, would have paid her forfeit. But her brother tried to discourage me

and told me that Kizil Koosh would never ride in the Green Wolf chase. And I did n't think she would, she seemed so proud. So I was very uneasy till the Day of Games. But it was all right. She entered. Her face was sulky when she rode forward out of the girls' cavalcade, and they tossed the lamb up to her. She never looked towards me, nor called out any challenge, the way girls do. But I saw she was mounted on one of her father's best stallions, and the other boys saw it too, and one of them said: 'This is your chase, Arslan.' Of course it was known my horse was good; my kinsman had to allow me a good horse, or I could not have been his caravan-bash. So then we rode; and we soon left the other boys behind; and out on the black steppe she began to circle, and the game was on. I kept riding past her and missing the lamb, for she laughed in my face, and I looked at her and grabbed the empty air. Then everybody came riding out to watch us, and every time I failed the crowd laughed. At last her brother began to yell:—

"Take your whip to him, Kizil-Koosh! Take your whip and chase the beggar home!"

"She heard him and looked like fire, and raised her whip to threaten me; and I heard him, too. I did n't look at her at all, after that, but kept my eye on the lamb; and though she rode furiously, I soon had it. How they all shouted and cheered! Then Kizil-Koosh came riding slowly toward me, and she had lost her breath —"

"And then she kissed you?" asked the dervish when Arslan paused.

"Yes — she had to. That's the rule," sighed Arslan.

He lapsed into a dreamy silence, and they rode on while the sunset faded and the stars came out. The dervish attempted talk on other subjects, but the boy made no response. At last he began again, of his own accord, on the matter nearest his heart.

"Her father sent me word they would

make the kalym as small as was decent: for it was plain we loved each other, and he would not separate us for the sake of a few camels, more or less. But my kinsman the old skinflint would pay nothing, — and I myself had nothing. With nothing one cannot buy a wife. So I rode away by night. But I rode through her father's aoul and stopped beside her yurta. I'll sing you what we sang to each other. It was the end of everything."

And once more imitating the girl's voice with high notes, this time in a wailing melody, and giving the boy's responses in deeper tones, Arslan sang.

KIZIL-KOOSH

The wind howls like the wolves to-night.
I crouch in my yurta's firelight.
Who is it comes galloping with the wind,
Draws rein at my yurta's door to-night?

BOY

The wind howls with the wolves to-night.
It enters thy yurta and fans the light.
The beggar Arslan stops at thy door
Before he departs with the wind to-night.

KIZIL-KOOSH

I hear the wolves race and howl
In the pale steppe behind the aoul.
Shall my Green Wolf join them, leaving me?
I crouch and shake when the night winds
howl.

BOY

The Green Wolf lean and poor is he —
The night-wind's caravan-bash shall be,
And far will he lead the galloping train
Away from his shame and desire of thee.

KIZIL-KOOSH (*wails aloud*)

BOY (*continues*)

Rich wooers will come and win thy hand
With gifts from Khiva and Samarkand,
And the dust that will rise from their tramping herds
Will hide for hours the distant sand.

KIZIL-KOOSH

My little red cap on a pole shall wave
Far out on the steppe to mark my grave.
The dust may rise from their trampling herds
But the wind shall roll it to hide my grave.

BOY

Living or dead is the same to me,
Since I am too poor to sue for thee.
Better to ride away by night
Than to face the shame of another day.

They traveled in the cool hours of the night; in the heat of the day Arslan would rest his burdened horse. At such times, when they were not sleeping or chatting with some entertainer, the dervish would beguile the time with stories to which Arslan was never tired of listening. He told of ancient times when demon kings ruled Persia, and their empire stretched over the whole earth; how Merv and Samarkand were treasure cities, surrounded by mighty walls, and the marauding robbers from the north rode in futile endeavor against their gates of brass; but how, by vast and complicated enchantments and counter-enchantments, by wars between demons of sky and earth these mighty strongholds fell, and their treasures were buried in dust.

And yet, though Arslan took the stories in perfect faith, every now and then he would feel a return of his first mistrust.

"If you should cheat me, — if there were no treasure at Giaur Kala, — I would kill you on the spot," he remarked one day. The dervish quickly soothed him with promises. Another time, when the dervish spoke of treasure-digging by night, Arslan decidedly objected to such practice.

"I will dig mine by broad daylight," he declared. "And you shall sit near me till I have it all."

Again the dervish promised and acquiesced.

It was indeed in the hot hours of mid-day when they approached Giaur Kala. The dervish pointed out the ivory-white earthwalls from far across the plain, and though it was time to rest, Arslan had grown too eager, and they rode on in the glare of noon. They were passing through a land of ruins now, and Arslan was growing uneasy and oppressed. These lonely, broken towers of crumbling clay, scattered far and wide in the plain; these

long, rounded, wind-worn embankments, gray and blank; these lofty pyramidal mounds, like monuments on the horizon; these intersecting dry canals, were all but illustrations to the stories of the grandeur and decay of ancient times with which his mind was filled. It looked as if the world had come to an end, and he and his uncanny dervish, the last inhabitants, were riding along, lost in spirit land. Most ominous of all seemed the steep slopes of the fortress they were approaching, — Giaur Kala. A few ruined watch-towers rose above its level top, towers weathered beyond all recognition of their purpose, looming like grotesque half-obliterate sculpture against the sky; one a lump like a monstrous head, another like some still, squat animal, — giving a look of life more eerie than the utter death of all else the eye could see.

They dismounted in silence at the foot of the escarpment and went up the gullied slope on a zigzag, Arslan leading his horse. The top of the huge wall proved but a ridge. There was a steep slope down again to the interior. The enclosure was like a kettle, but for one high, steep mound, gullied by rains, rising to the level of the surrounding earthwalls.

"That is the ruin of Yamshid's treasure house," the dervish whispered, pointing, and Arslan received the information in mute awe.

Down they went again at a zigzag to the kettle bottom, and there Arslan staked out his horse. The dervish motioned him to bring along his saddle-bags, and such reminder of the business on hand set the boy's heart to beating strangely. He feared no danger; he feared the too sudden realization of his high hopes; it was the eternal dread of a new experience.

The dervish carried a fagot of dry sticks he had collected that morning, and ascending the cone to the flattened top, stooped and made a little fire. Arslan kept close to his side, and there was silence between them. Far on every side the land of ruins stretched to a blue sky,

except to the southwest, where the fringe of green trees marked the inhabited land of men. The glaring sun bathed everything in too much light. The fire's flames were invisible, the smoke rose straight into the air.

"Now listen," said the dervish impressively. "We are standing over great heaps of gold and precious jewels; but there is a monstrous earthsnake coiled within this mound, and the treasure lies among the folds of its body. If we should waken it, and it should move, the earth would open and we should go down alive into the chasm. So I must find the spot where you can dig between the coils and not touch the body of the snake."

"How will you find the spot?" inquired Arslan.

"Keep your eye on me, whatever I do," the dervish commanded, "and whatever I say, obey me."

He began a curious dance about the fire, muttering an incantation. It made Arslan giddy to watch the gyrations of the peaked hat. Presently, he knew not whether in response to a command or not, he was following the dervish, who was walking slowly backwards, making curious passes through the air with his staff. The smoke from the fire veered, got into his eyes, and blinded them; and when they cleared he was still transfixed by the Persian's gaze. Now they were going down the slope of the mound, the dervish still edging backwards; and now they stopped on the edge of one of the deeper gullies.

"Here!" said the dervish. "The treasure lies near the surface here. Get down on your knees, and dig."

So Arslan knelt in the gully, took out his short knife and began to stab the baked earth, so that the dust flew up around him. The dervish crouched close before him and crooned a queer incantation. Arslan quickly loosened the fine, dry earth and began to remove it with his hands. Presently he felt a hard object and held it up.

"Ha!" cried the dervish. "A sap-

phire! Blue as the sky! A treasure for a sultan! Drop it in your bag."

And Arslan looked wonderingly at the shining blue sapphire in his hand, and dropped it in his saddle-bag.

"What now? Upon my word, a little plate of solid gold!" exclaimed the dervish as Arslan took another object from the dust. "How it shines in the sun! Put it in your bag."

Arslan gazed at the gold, saw it shine in the sun, and obeyed the injunction.

"A ruby, the size of an egg!" the dervish cried over the next find. "It would buy a kingdom. Put it in your bag."

And Arslan looked at it, was convinced of its value, and dropped it in his bag.

"More gold vessels!" continued the dervish as Arslan dug. "A golden cup! A jeweled dagger, that! And those small things are pearls!"

Arslan sweated, the dust smarted in his eyes, the sun beat mercilessly down upon him. He worked furiously as in a sort of panic. It was not the fear that the next jab of the knife would touch a coil of the earthsnake. — he had forgotten that monster completely. His fear was a curious one, namely, that the dervish might grow tired of enumerating the objects of treasure and turn away his eyes before the saddle-bags were filled.

But the dervish continued to cry out at everything Arslan showed him, and at last the saddle-bags were filled.

"Enough! Rest now, and sleep," the dervish commanded. "When night comes you will pack your treasure on your horse and ride away home. You will ride northward by the stars, and you will show your treasure to no one nor look at it yourself, till you show it all to Kizil-Koosh. Till night comes, — sleep."

And Arslan obediently dropped down in the dust and fell into a deep slumber.

He awoke by night and remembered instantly that he was possessed of vast riches and must hasten home without delay. His horse was whinnying to him from its stake. Arslan went down, lashed the heavy saddle-bags in place, pulled up

the pin, fastened it with its coiled rope to the saddle, all with as much peace of mind as if he had been on the open steppe. The high walls, visible by starlight, the lumps of ruined towers against the sky, had lost all ghostliness to him. The dervish, who had given the place its mystery, was gone, and with him all thought of his tales and explanations. Arslan's considerations were simply practical, — how best to lead his horse up and over the steep earth-walls; where to look for the constellation of the Seven Robbers and so find the pointers to the Iron Stake, the star that should guide him northward; and then, being mounted and on the way, how to cross dry ditches and canals.

Lost in love dreams, he rode northward through all the long hours of the night, till at last all stars paled together in the dawn. By a lonely well beside a hillock, in a flat waste of sand, Arslan halted, watered his horse, and drank. He had not so much as a crust to still the hunger which had begun to torment him sorely.

"Perhaps some one will come along and share his food with me," Arslan said to himself, and encamped. He took the heavy saddle-bags down to relieve his horse. There was no grass. All about the well the earth was trampled by camels. The horse remained dejectedly beside him. Day dawned.

"Here I am as rich as Sultan Mahmud, and as hungry as a beggar," said Arslan, squatting down beside his bags, and beginning to unfasten them. He intended to feast his eyes, at least, by the brightening light of day. "How many of these jewels I would give for one feeding for my horse and me. There would still remain enough and to spare to marry on."

It was light now; light enough to see plainly when he thrust his hand into the bag and brought forth the first thing he could grasp. He held it up, wondering. It was an earth-stained potsherd of common ware. Arslan dropped it and reached into his bag again. Another potsherd! Arslan's heart sank within him. He

seized the bags and with a quick motion poured their whole contents upon the ground. Then he sat and looked aghast at the heap of rubbish before him. Broken objects of clay, burnt and unburnt bits of bone, coals, many fragments of pottery; a few rude stone objects of unmeaning shape, — these were all.

He gave one cry, — the morning wind carried the unheard wail across bleak sands. The east grew brighter, the sun's shining rim appeared above the level horizon. The cheated boy still sat motionless, staring at the dross he had taken for treasure.

At last he began to think, and his passion rose. He saw blood.

"I will find that cursed Persian," he vowed, "and by God! he shall eat this stuff to the last handful. I will cram it down his lying throat, — he shall swallow it all."

With furious energy he packed it back into the saddle-bags, and lashed them upon his horse; but he had not measured his strength. Before he could mount, a ghastly sickness conquered him. His horse bent its gentle head above him and nosed his heaving body. There was no help near or far.

The sun had climbed up and begun to heat the sands again before the desire for vengeance could make enough headway against his pain to bring Arslan to his feet once more. He mounted and turned southward. His bloodshot eyes and moving jaws boded ill for the Persian dervish.

Two days later, in the afternoon, in one of the most populous streets of Merv, a Russian officer and his soldiers dispersed an excited crowd at the centre of which two men in frantic struggle lay rolling in the dust. Separated by the soldiers and jerked to their feet, the one was recognizable as a Persian. Blood ran down his beard from his wounded mouth. The other was a raving young Tatar, wild-eyed, undaunted by the military, hurling maledictions at the Persian, and, till he was bound, still flourishing his peculiar weapon of assault, — a large, sharp-edged

potsherd. The soldiers picked up and brought along to the station-house a tall conical hat, a round fur-trimmed Kirghiz cap, a dervish staff, and a pair of heavy saddle-bags.

In the spacious garden behind the governor's house there was a mimosa-tree in flower, and over against its low-spread branches the servants set the tea-table so that the light from the tall wind-screened lamps fell on the feathery foliage and purple blooms. They put roses and fruits and many kinds of sweets upon the table, and at one end a shining, steaming samovar. When the governor and his guests came out and took their places in white uniforms with golden sword-hilts, and the cigarette smoke began to curl about, the scene was strangely brilliant and bewildering to the poor son of the steppes. Still bound and guarded by Cossacks, he stood in the darkness of an avenue of Karagatch, close by the tea-table, waiting for he knew not what. He could hear what the Russians said, but understand nothing; he watched their faces all the more keenly.

There was one man without a sword, dressed loosely in white, who wore glasses on his nose. His way of talking was slow and laborious, he often stammered; but whenever he spoke, everybody listened; even the governor turned toward him with respect. He sat between the governor and Arslan's young officer.

They finished drinking tea; then, to Arslan's utter amazement, some one brought in his own old saddle-bags and laid them before the governor. They were opened, the stuff was taken out, and spread upon the table. The young officer talked to the man beside him, who seemed greatly pleased and interested, and hurriedly changed his glasses for another pair that hung dangling by a cord on his breast. He pulled a lamp nearer, and gave a minute and eager scrutiny to the stuff on the table. He began to sort it into piles, talking in his stammering way. Water was brought, and the dirty objects

washed and wiped on the fine linen. The things were passed to the governor and all the officers in turn, and everybody handled them as if they were something extraordinary, then carefully laid them back on the separate piles. Arslan repeatedly heard the word *Giaur-Kala*. The governor drew something on the table-cloth for the man with glasses to look at. The young officer was beaming. Indeed, everybody seemed delighted, most of all the man with the glasses.

"Do you see what I have done?" came a familiar voice in Arslan's ear. It was the dervish. He, too, had been brought with his guard, and had managed, in the darkness, to slip close to his fellow-prisoner.

"What have you done?" asked Arslan, stupefied.

"I have blinded them, as I did you, — they think it is treasure, as you did," the dervish whispered. "This will save us both. When they ask you, tell them we were bringing the treasure to show the governor, and that we quarreled on the way over a religious difference. Don't tell them I fooled you. They are so pleased with this stuff, they will let us both go. I know what they are saying. I understand Russian."

"And to-morrow morning, when your spell is spent," said Arslan, "and they see that it is all rubbish, what then? They would send soldiers after us to kill us."

"Don't be a fool, — believe in me," urged the dervish. "You know my power — I can make my enchantment strong enough to last till we are far away."

"Save your own skin with your magic," answered Arslan. "If I am asked, I'll tell the truth."

"Fool! Accursed Kirghiz dullard!" hissed the Persian. "If you don't obey me, you'll be shot. The soldiers said you would be shot for assaulting me in the street."

"I'll be shot then, and not have you to thank for my life," snarled Arslan, "for you have the soul of a fly."

A moment later he was really called

for. His guard pushed him forward into the circle of light. The Russians looked him over rather kindly. Of course! they were thinking he had brought them a great treasure.

The governor, it appeared, could speak Kasak. "You dug these things out of the ground at Giaur Kala, you have said?" he asked.

"I did," said Arslan.

"Why did you?"

Arslan threw back his head and spoke loudly: "Because I was charmed and cheated by that Persian back there, just as *you* are being charmed and cheated, son of Russ," he declared. "To me, also, it looked like red gold and fine jewels; but it is nothing but rubbish, as you will see when that cursed dervish is gone, and your eyes wake up."

The governor turned with a grave face to the others and translated what Arslan had said; and the whole crowd went off into shouts of laughter. The man with the glasses laughed hardest, he had to take his glasses off and wipe them dry; and then he put on his first pair again, and peered at Arslan with a look of the keenest interest.

"You say all this has no value?" the governor asked Arslan finally.

"On the word of a Kasak, it is nothing but clay and bones and stones," said Arslan earnestly. "Laugh now, — you will not laugh to-morrow. I have experienced it."

"But why do you undeceive us, Kasak?" asked the governor. "Would I not let you go free with a present, if I thought you had brought me all this treasure? Even though you deserve to be shot?"

"I am no liar," said Arslan sullenly. "I'll take no part in the Persian's deviltry. I tell you that stuff is not gold, but dust."

The governor translated. The man of the glasses was still peering at Arslan with a look of huge enjoyment. Now he pointed to him, and made a stammering request of the governor.

"This gentleman wants to hear the whole story of how you came to dig at Giaur Kala," said the governor to Arslan. "Tell it all, it will be to your advantage."

So Arslan told it. As he talked, the governor translated and the Russians often laughed, especially over Arslan's sickness at the well, when he had discovered that his treasure was turned to dross. Only the man with the glasses did not laugh there, but with great effort made something known to the governor; at which the officers laughed again and many nodded and made some exclamation.

"This gentleman wants me to tell you," said the governor to Arslan, "that he, too, has had your experience, and seen things he prized as treasures turn to dust and ashes in his hands. And these gentlemen all say they have had such experiences. That is why they laugh so at it. You see, you are not alone."

Then the Persian was called for. His examination was short. He tried to speak, but the governor signed to the soldiers and gave a command, and he was led away into the darkness. There followed a long talk between the governor and the man with glasses. At last the former turned once more upon Arslan.

"Now listen," he said, "and try to understand what I tell you."

And Arslan gave his whole attention; but as for understanding, he could not in the least. It sounded like sheer nonsense. This man with the glasses, the governor said, was of great wealth and power; but what he liked best was just such things as were here spread on the table. He would travel very far to find a spot where such stuff could be dug, and when he had dug it, he would carry it home. He even wrote books about it. It was of great importance to him now that just such pottery as this was found at Giaur Kala. Early the next morning he would ride to see the place, and Arslan should go with him. Moreover, if all was true, and Arslan could show the very hole he had dug, this pow-

erful and wealthy man would consider it a service rendered, and would like to pay for that service. He would give Arslan the kalym, the bride price for the purchase of Kizil-Koosh, so that Arslan might go home and marry; for the governor himself would pardon Arslan's criminal attack upon the Persian. As soon as he had been to Giaur Kala, he should be free. The governor knew the Kasaks, he had often been a guest in their yurtas. They

were brave, honest men, whom the Russians loved. Let Arslan remember, when he came home, to tell his people how he had received kind and generous treatment at the hands of the Russ.

No, Arslan never understood it wholly, though he got an inkling of it as his years increased, and experience rolled behind him, for he would sometimes remark, "The worth of a thing is all in a man's own eye."

THE PRESENT STATE OF EUROPEAN PAINTING

BY ROYAL CORTISSOZ

A GENERATION has passed since Edouard Manet painted his picture of *Le Mendiant*, a full-length portrait of a broken-down old *blouse*. He was then at the height of his unpopularity, applauded by a few of his fellow painters and defended by one or two critics, but condemned by officialdom in French art, and laughed at by the public. Last summer I saw *Le Mendiant*, hung in a place of honor in the exhibition of the Secession at Berlin. It was surrounded by the works of men devoted to Manet's memory, looking upon him as one of the great liberators of modern painting — if not the greatest of them all — and feverishly emulous of his ideal of independence. With so much zeal had the young Germans served that ideal that they had out-Heroded Herod, and made Manet look like a classic lost amongst barbarians. It was as though one had found a drawing by Ingres in a sheaf of caricatures by the artists of Montmartre, or a Greek bust amid a group of Rodin's most audacious sculptures. It was like turning the pages of an anthology and finding a poem of Landor's on the same page with one of Whitman's yawps. It was like a sudden change in a musical programme from a quartette of Beethoven's to a caco-

phonous symphony by Richard Strauss. In short, Manet looked in this gallery like a Samson among the Philistines. Under any circumstances the spectacle would invite reflection as well as mirth, but it kept recurring to my mind with a special point as I traveled over Europe looking everywhere for "signs of the times" in the art of painting. Even in my peaceful hours with the old masters there would come back the tormenting question, — "What have the schools made of the liberty of which they are so boastful?" Before I offer an answer to that question I must glance briefly at the situation which produced Manet.

In the turmoil of the Revolution, French art lost its hold on the romantic glamour and the exquisite mundane charm of Watteau and his group. Proceeding to put its house in order under the Napoleonic régime, it accepted the guidance of David and dedicated itself to his principle of classical discipline. How much there is to be said for that principle was shown when a man of genius arose in the person of Ingres, a pupil of David's, equaling his master in the exploitation of the grand style, and surpassing him in draughtsmanship and feeling for beauty. But in that transitional period men of

genius were rare, and when, presently, in the first half of the nineteenth century, they began to come to the surface, they found a large body of Academicians, of very unequal merit, in possession of the field. We are apt to underestimate the value of the academic idea, and to scorn its exponents as, all of them, necessarily mediocre. As a matter of fact there is a distinction not to be despised about the work of men like Flandrin, Amaury Duval, Delaroche, Chassériau and the rest, and Ingres, of course, is a master. But we must not pursue this tempting issue. The important point for our present purpose is that a generation of artists arose to whom temperament was everything, the classical hypothesis a delusion and a snare, and nature a mistress worth all the gods and goddesses in the academic Pantheon. Géricault turned his back upon antiquity and painted *The Wreck of the Medusa*. Decamps saw no reason why he should sit in a Paris studio, painting in a gray light, while he could go and bathe in the sun-saturated colors of the Orient. Corot, Rousseau, Daubigny, and Diaz, all looked for a new vein in landscape, and found it. Delacroix, being born a romanticist, left Greek form and repose to take care of themselves and gave passion its chance. Millet preferred a peasant misshapen by toil to the fairest vision on Olympus. The mere enumeration of these names is enough to recall historic battles fought and won. They did not, however, make further conflicts unnecessary. On the contrary, there was much work left for even more drastic innovators to do.

Manet was to weary of the routine of Couture's studio, and instead of adding to the statuesque figures painted there, was to scandalize the Academicians by his Olympia. Degas, who worshiped Ingres and, it is said, still goes on worshiping him, was to turn from admiring *La Source* and to use what it taught him in the realistic delineation of laundresses, ballet girls, and jockeys. Whistler was to enter a world of which Gleyre, his mas-

ter, knew nothing, and to develop, along lines of his own, the tonality invented by Velasquez. Monet was to show that the Barbizon school had hardly grazed the problems of light. And all these men were bent upon demonstrating what, by this time, needed repeated demonstration, that the great thing to do was to paint well, to practice a technique expressing the very soul of pigment. They succeeded in their aim. They extended the boundaries of modern art, indicating new ways of using its instruments, and they are today the recognized chiefs of the more progressive painters everywhere. What Manet meant to the Berlin Secessionists when they honored him after the fashion I have described, he means to the younger generation — and to many of its elders — throughout Europe, in England and in America. Through him and through his companions the painter of liberal tendencies feels that he comes into touch with the right tradition, the tradition of Rembrandt, of Velasquez, and of Hals. There is the crucial point, — that the hater of academic convention, the lover of individuality and freedom, has had his battle fought for him, that he is able to do as he pleases in full enjoyment of the inspiration once disdained, as that of 1830 had been disdained, but now respected even where it is not adopted. What is the result? We have been told *ad nauseam* how the public and the critics have failed to do justice to Whistler, for example. It is interesting to ask what the artists have done to prove themselves worthy of him and his old comrades.

In France the Salon remains, on the whole, the inviolable stronghold of canonical authority. I well remember the organized rebellion which led to the opening of the Salon of the Champs de Mars. With what jubilation it was hailed! At the time, the contrast between the "new" and the "old" Salons was really striking, and there was a thrill of excitement to be got out of the quarrel. I have never been able to recapture that thrill. In fact I have gone through Salon after Salon only

to see the "new" and the "old" little by little settling down into comfortable harmony. French art rubs along in the good old way, and you may look at thousands of the pictures now being painted, without being reminded by any of them that Manet "fought, bled, and died" for the cause. If one looked foolishly for little Manets he would deserve to be disappointed; but what one looks for, of course, is quite another thing,—it is the broad lesson that Manet might have been supposed to enforce, without robbing any man of his individuality, upon those who praise him so glibly. It is never through their crass imitators that the masters fertilize the art coming after them; it is rather through the establishment of general principles that they make their influence felt. Thus it is reasonable to expect, when Manet is a name to conjure with, a deep general interest in simplicity, in the direct handling of pure color, in the bold and truthful manipulation of values. But to expect these things is to expect a little too much, in Paris. I speak, of course, of French art in the mass, and there is the more reason for so doing as the individualities of the moment are neither numerous enough nor, apparently, potent enough, to leaven the lump.

Smart dexterity is at a premium, and the instinct for beauty seems to have lost a good deal of its vitality, when it has not suffered absolute atrophy. The average French picture suggests that modern taste has been transformed into a part of the nervous system and is concerned altogether with sensation, not with principle. The outcome is work of a rather vulgar cast, vulgar both in substance and in style. What survives that is ingratiating in the bulk of French painting is the purely professional quality, that can be acquired by reasonable application in the schools; on all sides we see the fruit of methodical teaching attentively followed. The *salonniér* knows how to put his great "machine" together,—his mere craftsmanship is a credit to him. But it is too often void of any serious

significance. I cannot see that there has been any widespread improvement in the handling of form as form, any happy loosening of the bonds created as though by an impersonal government and bearing a government stamp. The majority are faithful to the immemorial, competent, but humdrum method of the big overcrowded ateliers to which the young idea comes, in hundreds, to be taught how to shoot. Looking at one canvas after another the inquirer murmurs, "Was it for this that the heroes of the Salon des Refuses did their best to augment the language of art?" Similarly he asks, in the presence of most of those huge decorations which the French so generously order for their public buildings, "Was it for this that Puvis de Chavannes wrought out his noble conception of mural painting?"

In form and in design, then, French art is stationary. Such gains as have been made have been largely in respect to the treatment of light, a fact pointing to the greater influence of Monet than of any of his colleagues. Impressionism has filtered its way down into modern painting, and the younger men have learned the value of sunlight, if they have learned nothing else, from the revolutionists of the sixties and seventies. Not so many of them, on the other hand, have known just what to do with their new resource; they do not create, they mark time. Only here and there among the French has the precious lesson resulted in a rich addition to contemporary art. It is not the rule, but the exception, to find work as delightful as that of Henri Martin, one of the most engaging talents which have appeared in a long time. He has a charming decorative vein, and in the luminous quality of his canvases, which is a chief element in their appeal, you can see that he has profited in the right way by the example of his seniors. He has a note of his own, thus emphasizing my contention that one does not need to imitate in order to make use of what Monet and his colleagues brought into modern painting.

Even more exhilarating testimony on this lead is offered by the salient figure now at work in Paris, Albert Besnard. He is the one man the French have who not only has something to say but says it in a fresh and powerful manner. He has been the better for having shared in the later impressionistic movement, but, with the authority of the true artist, he has subdued to his own purposes whatever has been suggested to him by others. Some ten or twelve years ago a friend hurried me in a frenzy of enthusiasm half across Paris to see Besnard's decorations in the Ecole de Pharmacie, then recently completed. It was a dark, rainy day, but one forgot the gloom in contemplation of Besnard's ebullient nervous force and robust color. He was always a colorist, and as the years have passed he has used the language of color with more and more sinewy strength, with more and more fire. Incidentally he has given freer play to his imagination. He was a realist pure and simple when he did the panels in the Ecole de Pharmacie; now he is a poet as well, a standing rebuke to those narrow-minded artists who fancy that their technique will go to pieces if they permit themselves the expression of an idea. What I like best about him though, better than his color by itself, or his decorative gift by itself, or his workmanship by itself, is the virility with which everything in his art is fused into a rich, brilliant chord.

Besnard is a "first-class man," a master of form, of light and air, of style. But you will look far in France before you will find another Besnard. Beside him a man, say, like Gaston Latouche, with his golden glow, his vaporous stained-glass effects, seems just a clever dealer in artifice. That is the prevailing note in Paris. For one man whose work is, like Besnard's, "of the centre," you have scores, hundreds, who are facile and sometimes even accomplished, but, in the grain of their work, incurably factitious. They have made no better use of the freedom

from formula, won by Manet and the others, than to put more formulae — usually very hollow ones — in the foreground. Little groups are formed, each one devoted to the unfolding of a trick which some new man has made temporarily popular. They wax and wane, and you wonder why they ever flourished at all. A sensation is made at the Salon, not by an honest piece of painting with an original accent, but by some prismatic audacity having no relation to nature, by some purely arbitrary scheme of chiaroscuro, or, as in one case that I have in mind, by a return to the "brown sauce" of the old masters for which Manet had such a loathing. There has been some provocation for these pseudo-original experiments in the public success of certain artists. Rodin, taking his cue from Michael Angelo, seeks to make a figure emerge like an exhalation from the marble block. His disciples immediately proceed to make their figures "emerge," forgetting that the main thing is to show, as Rodin has shown, that as your figure comes out you must justify it by strong modeling. He is apt at writhing bodies, carrying the note, in his later work, to absurd lengths. The writhings and contortions are accepted as having something talismanic about them, and as being certain to sell, and they are served up by any number of dabsters with an effrontery that would be disgusting if it were not funny.

Constantin Meunier, the Belgian sculptor, having done interesting work in the realistic portrayal of workingmen, it seems to have occurred to many artists that all they need to do in order to "make the bourgeois sit up" is to model ugly types of labor, — it does not matter if there is not an ounce of Meunier's power in the modeling. In painting, one of the most pernicious exemplars was the late Eugène Carrière, who long ago attracted favorable attention, and in some quarters incited silly panegyrics, by his studies of figures enveloped in a dark, smoky mist. His portraits and types of maternal sentiment

were pleasing, for a time. Then they wore out their welcome. He overdid his formula until he left it a formula and nothing more. But the mischief had been done; he had helped to confirm the unthinking in the notion that a picturesque surface effect may legitimately be used over and over again for its own sake, that nature may be forced into a pattern. France is now engaged in the making of such patterns to an enormous extent. Clever mediocrity, the characteristic product of our age, momentarily catches the eye, but leaves no lasting impression. At a time when the artist is nothing if not individual, there is an extraordinary lack of really significant individuality.

Signor Alfredo Melani, in a recent article on the works of art at the Milan exhibition, describes them as "the triumph of the young men," and speaks in fervid terms of "this artistic youthfulness which is no longer wasted in academic formulas, but pursues its way with courage, sure of *the strength which dwells in its independence.*" The italics are mine. It was for that that I searched last summer, the strength which dwells in independence. I saw the Milan exhibition, and, to tell the truth, I did not discover any great stores of strength among Signor Melani's young men. No doubt they have, as he says, "buried the academic once for all," but the question is, What have they put in its place? They have put the craze of the moment, cleverness, cleverness, always cleverness, the same sort of thing that reigns in other countries, the same straining after effect that we have seen in Paris, the same contortions of the sibyl without the oracle. There is technique in the South, but it is technique without style.

I was especially struck by two rooms, one occupied by Ettore Tito and the other by a group calling themselves "Young Etruria." Tito has "arrived," he is one of the popular leaders. I recollect seeing at one of the international exhibitions in Venice some of his earlier things, and looking for his work thereafter with curi-

osity,—it seemed likely to bring pleasant surprises. But at Milan this year, where I encountered both old and new paintings by him, he seemed to have risen, after all, little above the ordinary level of the Salon. "Young Etruria," highly resolved to spurn that level, had nothing more to brag of than the piquancy of youth, and made the observer wonder very hard if anything of substantial worth would come of its febrile strivings. The room was prettily decorated and furnished,—raising a point to which we shall have to return,—but I could find in it no promise of genius. That was the trouble with the whole show. It had one merit. It promised the ultimate, and perhaps speedy, disappearance of the old petty, brittle style of the days when Fortuny was adored, and feebly imitated, in Rome and Naples. A broader convention is coming into vogue. Unfortunately it does not appear to have brought out an artist of the first rank.

There was in the grounds at Milan, by the way, a special little exhibition of works by Segantini, that painter of the Brianza who found, as Millet had found before him, a poetic inspiration in the humblest motives of rustic life. Like every man of talent in this epoch of frantic publicity, he has had some prodigious eulogiums pronounced upon his art. Well, he is not one of the giants. I have seen his pictures again and again, and it occurred to me as I saw them in Milan a few weeks since, as it had occurred to me when I saw them in the Paris Exposition of 1900, that they do not wear any too well. The hard, grainy surface of his big Alpine landscapes—too big, I think, since mere bulk of canvas will not suffice to express the atmosphere of the mountains—throws off nothing of that palpable charm of beauty which is the great secret of eternal freshness in art. But Segantini, if only by the force of contrast, seemed a grievous loss to Italian painting. At least he had a large way of looking at his subject, a fine sincerity, and a complete incapacity for being sim-

ply clever. There was something that made for sardonic amusement in the fact that Bistolfi's monument to his memory, visible in the same pavilion, showed a nude female "emerging," à la Rodin, out of a huge block of marble. It is wonderfully well done. Bistolfi knows his craft. But one thought neither of him nor of Segantini, but of the French sculptor, not of an idea or a style, but of a fashion.

It is a time of small things in the north, as in the south. Menzel has left no successor in Germany, nor has he exercised an appreciable influence upon his countrymen. The latter pay him all possible tribute. You come across his works in all the museums, and only the other day there was published in Munich a superbly illustrated volume of his productions, a monumental kind of catalogue. But I wondered as I turned its pages why so few of the young Germans seemed to have sat at his feet. An artist like Menzel proclaims at once an inimitable individual style, and broad fructifying principles, but for all the good he has done to modern German art Menzel might just as well not have existed. The group of paintings and studies by him in the retrospective wing of the Berlin Salon formed as curiously suggestive an episode there as was formed by Manet's picture in the show of the Secession. Of course there is, in the last resort, no accounting for the richness or the poverty of a country in great artists. A man is born a genius or a journeyman, and there's an end to it. Nevertheless, an influence is an influence, and it is hard to see why, with Menzel in their midst, the Germans have gone on painting in a state of utter blindness to the rudimentary lessons he was all the time teaching them. There hung in the Berlin Salon a painting by him of a falcon and another bird, fighting furiously in the sky. It was painted in 1843, and I dare say it has been seen in the long years that have elapsed since then by thousands of native artists. It is a masterpiece of movement, of texture, of draughtsmanship, and, I had almost said, of color. It

is so painted that he who runs may read. The simple demonstration that this picture gives of the way in which to go to work with your brushes might at least tell a youth what, roughly, to try for. But the sense of the German is sealed. He continues to fill his canvas with crude garish color and turgid drawing. As for beauty, for sensuous charm, for grace and subtlety, they have suffered unmitigated shipwreck. This is a hard saying, yet it is borne out to the bitter end by the documents of the case. Go to any of the permanent galleries. Their treasures of earlier European painting have been gathered with remarkable judgment, and they are splendidly arranged. The new Berlin Gallery is a triumph of installation and administration; nowhere, not in Vienna, in Paris, in London, will you find the old masters more effectively assembled and displayed. But enter the rooms devoted to the moderns, the natives, and your heart sinks into your boots, dismayed by the tastelessness and dullness of what you see. Now and then some one has appeared to shame the men in the ruck,—a genius like Menzel, a portrait painter almost a genius, like Lenbach, or men of talent such as Liebermann and Leibl. For the rest, the mission of the German painters seems to have been to set the teeth of the connoisseur on edge.

It has been the proud boast of the Secessionists that they have changed all this, and at Munich especially their large claim is upheld by sympathetic foreigners to the extent of exhibiting with them. The final justification of the claim is, however, another matter. It is true that the Secessionists have, like the young Italians, "buried the academic once for all." It is true that they are broad in method where the majority are nigging. It is true that they have ideas, of a sort; an ambition to be imaginative and poetic, if not the actual power to be the one or the other; a desire to rise above the stupid painting of sentimental subjects. It is true, finally, that they are often very

clever. But they are afflicted with a deplorable earthiness, a downright coarseness, which, apart from all question of subject, reacts upon the whole fabric of their art. Consider again, for a moment, that apparition of Manet among the Berlin Secessionists. His *Mendiant* is certainly not a beautiful figure, but just for that reason it the more aptly illuminates our situation. *It is a beautiful piece of painting.* The color is fine, the *facture* is masterly, the style is distinguished. Truth is here, if ever truth was set upon canvas, but it is truth made beautiful by art. All around it the Secessionists riot in nerveless brutal drawing, in gaudy or morbid color, in thick opaque tone, and in the most dubious taste. Like the young Etrurians they are sublime in furnishings. Whistler's notion of hanging a gallery with some light stuff has taken them captive. Like him, they are fastidious in frames and battens. In the disposition of "æsthetic" chairs and settees, with bay-trees for the middle of the room or in the corners, they are beyond reproach. In some German exhibition I found a fountain containing water colored a blue to disconcert the Mediterranean, — it was the last word of decorative ingenuity. Unhappily these things are as naught if the pictures on the walls are poor. Not all the pearly backgrounds in the world will pull an exhibition through if the painters bring raucous reds and greens, unspeakable yellows and blues, to the making of their pictures.

Franz Stuck, the hero of the Secessionist movement, is a strange type. He has a warm imagination and a remarkable pictorial faculty. You could not look at the Dead Christ he exhibited in Berlin this summer, or at the Bacchanale he had at Munich, without feeling that the painter had a temperament, an outlook peculiar to himself. The Bacchanale, a night scene with the rout alone illuminated, the pillared porch in the foreground and the murk of trees in the distance being in romantic shadow, was in intention, at least, a thing of poetic emo-

tion. But in these pictures, as in many others I have seen, Stuck loses all the lyric charm at which he aims, or all the tragic force which is more often his ambition, through harsh drawing and modeling and through color that I can only describe as livid when it is not blatant. He is representative. After overhauling the works of the Secessionists from end to end, you come to the sorrowful conclusion that they do not understand color at all. Neither, for that matter, have they any true sense of form. In both respects it is a coarseness of fibre that seems to tell against them, a coarseness that belongs alike to the weakest and the strongest of the technicians among them. Their nudes are the nudest things in modern art. It does not matter with what dainty idea they start. Like Arnold Böcklin, the Swiss painter, whose overrated work is much liked in Germany, they will invent a good design, with a delicate idea at its core, and then keep it from making its full effect by using colors brilliant but without quality, and making their contours as inelastic as lead. Secession and Salon alike are thus heavy-handed. It is the national trait in art. There was reason enough for the outcry in Berlin over the statuary of Kaiser Wilhelm's Sieges Allee. It is fearsome stuff. But there is nothing exceptional about it. You find statuary like it all over Germany.

English art, official English art, stands just where it has stood these many years, and the Royal Academy is lucky inasmuch as it can count upon the work of one foreign master for its annual exhibitions. I once met an artist friend on the steps of Burlington House. Each wondered what in the world the other was doing there, — if he was in search of pleasurable artistic sensations. I had just been in to see Sargent's contribution. He was going in for the same purpose. I thought of him this summer when I saw once more that without Sargent the Academy would be an overwhelming bore. What is it made of? Furlongs of canvas without any elements of interest what-

ever. Laboriously built up compositions, historical, sentimental, "conscientious" beyond words, and ineffably flat. Gaudy, pompous portraits. Commonplace landscapes. At long intervals a creditable piece of painting, strayed in as if by accident, but in general a disheartening mass of mediocre routine work. Criticism beats in vain against that fortress of reaction. There is something pathetic and droll about the efforts made to disturb its inertia. One thinks of Sidney Smith and the boy who scratched the turtle's back to give it pleasure. "You might as well stroke the dome of St. Paul's to please the Dean and Chapter." What does the Academy make of Mr. Sargent? What did it make of the late Charles W. Furse, who was an Associate when he died, only a short time ago? Such artists must be very embarrassing. Furse, like two or three others, seems an anomaly in the Tate Gallery, where two of his pictures have been hung, one of them having been purchased under the terms of the Chantrey Bequest since his death. This large picture, *The Return from the Ride*, gives an excellent idea of what the new school in England has been doing. It represents a young man on horseback, with a woman in flowing light modern dress walking by his side. The group is set against a landscape background, loosely painted and full of light and air. The canvas breathes energy and a passion for fresh, outdoor beauty. It is painted with knowledge and ease, and it discloses an original, sincere temperament. There are not many painters in England to-day who give, as Furse gives, the impression of having taken advantage of the best developments in nineteenth-century art, and of having "found themselves" into the bargain. But there are enough of them to raise lively hopes of English art, unofficial English art.

If it is a question of hopes rather than of present realization, it is because the school seems to be going through a period of transition, and in so eclectic a mood as to be a little uncertain as to its

best course. It has been learning from Manet and from Monet; one of its most interesting figures, Charles Shannon, appears to have started under the influence of Legros, and to have since ranged pretty freely among the old masters; and then there are, of course, the adherents of Whistler. These last, to be sure, like so many of their fellows in America, and, for that matter, throughout Europe, have often an odd way of missing the point. Mr. A. Ludovici, the latest historian of that quaint episode in Whistler's career, his presidency of the Society of British Artists, tells how seriously the veterans of Suffolk Street took their new leader's reforms in the matter of hanging. Instead of being happy because pictures were confined to the line, they murmured at the financial loss they saw in mere empty space. They calculated that the square feet wasted around one of Whistler's own pictures were potentially worth £400 to the Society. The anecdote is not out of date. Many of Whistler's followers, who fondly believe they are treading in his path, are as busy over trifles and as blind to essentials as were the malcontents of the British artists. They "go in" for Whistlerian "arrangements," for the careful spacing of the composition, for an esoteric disposition of light and of accessories. Meanwhile, they overlook the one thing of transcendent importance that Whistler had to teach them, the beauty to be got out of consummately manipulated tone. That is a thing absolutely independent of the design, the motive, of a given picture. With it Whistler would still have been Whistler though he had made the famous portrait of his mother as anecdotic a painting as any that ever drew crowds in the Royal Academy. It is the quality of his surface that counts first, the quality of his color and tone. He chose to adopt the kind of composition that we see in his portraits and nocturnes, because it was suited to his character as an artist. His disciples, to whom it is often not natural at all, go on using it with a childlike confidence in its efficacy,

and very rarely reveal any *flair* for his tonal virtues. It is the old story of borrowing a formula for the sake of a formula, to which I have had to allude more than once. The surface idea is caught; the central inspiration is missed. Sargent's example is misunderstood in the same way. A trick of brushwork is all that is developed by the innumerable portrait painters who try to follow his lead. Yet it is precisely his freedom from mere trickery that accounts for his eminence.

Sargent's big group portrait of Dr. Osler and three of his colleagues, for Johns Hopkins University, loomed in this summer's exhibition of the Royal Academy as a giant looms among pygmies. It is a masterpiece worthy of the historical periods. Painted largely in blacks and on an imposing scale, it involved the solution of a problem beset with heartrending difficulties, yet there was not an inch of it that hinted at hesitancy or effort. The simple broad surfaces have now a splendid quality which time will only improve. The interesting heads are modeled with a combination of learning and spontaneity almost unique in contemporary painting. Sargent is, indeed, the master of them all, towering above the painters of his time everywhere. But how many of his juniors listen to what he has to tell them? How many, looking at this wonderful piece of portraiture in the Academy, paused to think of the hard work concealed beneath the stately unity? How many, in the effort to profit by the inspiration to be found in the work of a great leader, go really to the heart of the matter? I wondered again when I went to see the exhibition of Flemish art at the Guildhall in London in July. There were half a dozen pictures there by the modern old master of Belgium, Alfred Stevens, whose death is reported in the papers as I write these lines. One panel in particular I recall, a study of a woman in yellow, sewing. It looked like a piece of honey turned to lacquer, indescribably soft and rich. An early work, it had already taken on a quiet mel-

lowness, a subtle distinction. It could have held its own beside a Ver Meer, so magnificently was it painted. Have the Belgians taken a leaf from their master's book? No, they oscillate between the realism (very much in the mode of the primitives) which Baron Leys used to teach, and the flashiest sensationalism of the Paris Salon. Their neighbors, the Dutch, are wiser. They remain detached from the main currents of European art, and content themselves with the admirable tradition established by Mauve. He and the other founders of the school having beaten out a good method, they are loyal to it, and at the same time manage somehow to put individuality into their work. One source of their success is their unwearying devotion to nature. That is what explains the extraordinary power of the sole important figure in the Spanish art of our epoch. When I first became acquainted in Madrid with the open-air studies of Joaquin Sorolla, some years since, he was beginning to be talked about as a man who would go far. The adventurous spirits in the studios looked up to him as the man who would lead them out of the land of bondage, away from the outworn style created by Fortuny. At the Georges Petit galleries in Paris last summer he showed about five hundred portraits, pictures, and studies, and they made it plain that he has indeed gone far. The sunshine blazed in his work. His drawing is almost uncannily fluent, yet it is sound. He is a notable personality, one of those who give modern European painting its vitality. If he can do this, as Besnard does it, as Sargent does it, is it not because he is a genuine temperament, a man dealing passionately with first principles, with the things that count, and not with the pretty odds and ends that furnish forth the equipment of your merely clever artist? It is because there are so few painters of this stamp that European painting is to-day in a chaotic condition, drifting hither and thither, indulging in all manner of amusing experiments, but doing next to no-

thing to show its loyalty to Manet and the other emancipators.

I suppose the foregoing pages have something of the air of a Jeremiad, and that they could be "answered" by an interminable list of Europeans who paint, as painting goes, very well. I could compose such an answer myself. But it would be beside the point. When all is said, it is not sufficient that a man should paint very well, as painting goes, if we are to take him seriously. It is not sufficient that a clever student, having won golden opinions from his instructor,

should go on indefinitely producing clever student's work. The brilliantly executed *morceau*, no matter how brilliant, is, after all, only a *morceau*; it may be the beginning, it is certainly not the end of art. What we want is work with brains and individuality in it, new minted work, alive and beautiful, and quivering with emotion. It is comforting to know that hundreds of painters can win their way into the exhibitions. The great thing is that, having got there, each of them should be able to present a really interesting reason for his presence.

THE HOUSE

BY ANNA McCLURE SHOLL

"THERE can be no beautiful homes built," an architect once said, "until people cease to travel overmuch, and cease their restless flitting from habitation to habitation." Whether or not this is true, it remained, by a paradox, for the modern generation of well-nigh homeless people to realize and to interpret, in one fashion or another, the sentiment of houses, that peculiar personal sentiment which makes them intimate revelations of character and disposition. This feeling, the product of a self-conscious age, exists, perhaps, just because of that detachment between men and their home-backgrounds in which a designer of buildings saw the chief obstacle to the growth of an organic domestic architecture. The wanderers seem to appreciate the significance of their houses in proportion to the restlessness that keeps them always in the mood of departure.

Both the restlessness and the self-conscious attitude towards the home are modern. The cavalier of Charles the First's time had probably little realization of the correspondence between his

gallant and liberal existence and his Elizabethan house with its inimitable mingling of dignity and sweetness. The palaces of Venice and of Florence reflected the magnificent lives of their masters, but not as the result of design. In Florence the splendor of these householders was militant, and the very walls speak of a state of power and pride held against all comers. In Venice they looked from lovely windows to catch the first glimpse of sails bringing the gold and purple of the East to their silent doorways; and the richness and ease of those Venetian households are symbolized on many a graceful façade of the palaces of the dream-like city. But whether these men fought, or bartered, or gave themselves up to the love of beauty, they remained passionately devoted to one city, to one street in that city, to one house in that street; and so, all unconsciously, their personalities were reflected in homes which no modern ingenuity can duplicate, because the spirit which made them possible no longer exists.

The past hundred years, the century

which saw the means of travel made simple and universal, was responsible for driving or luring people from their homes in myriad directions and on myriad quests, making of the time a great *wanderjahr* whose close is not yet; with the result, especially in the United States, that the homestead or the ancestral house has become well-nigh an anachronism, while in the minds of many people a loneliness has been created, a strange homesickness as of those who have no background but the landscape of the world.

By way of compensation perhaps, these exiles, knowing no more permanent home than an apartment or a rented dwelling, have developed a keen appreciation of the house in its ancient aspect as the product of personality; as a material expression of many spiritual experiences, long past, perhaps, but thus possessed of a dim immortality. The generation that has forgotten how to build a cathedral knows full well why its hand and brain are fruitless; it holds the wistful knowledge that only the age of faith could produce the great Gothic houses of God. The men and women to whom family life has become, in many cases, only a mirage, linger over the thought that the immortality of the house is bound up with the kindly offices of affection, each chamber witnessing to some variety of these offices. Walter Pater, a homeless scholar, dwelling all his life in halls sacred to the intellectual affections, had perhaps, among his contemporaries, the keenest realization of this mystical meaning of the house. His works abound in passages showing an almost hyper-sensitiveness to the significance of that abode in which men spend their short, vivid existence, — the rooms upon the walls of which, for a brief season, they write their names and their desires. The Château d'Amour seemed at first to Gaston de Latour "a delightful, half-known abode of wonders . . . afterwards a nursery of refined or fantastic sentiment, as he recalled, in this chamber or that, its old tenants or their doings." It requires no learning to under-

stand why Florian in *The Child in the House* remembered the angle at which the sun in the morning fell upon the pillow; the little angel-faces and reedy flutings that stood out round the fireplace of the children's room; the blossom of the red hawthorn in the garden; the feeling of the cool, old parlor; and the pathetic aspect of the dismantled rooms when he was to leave them at last.

This sensitiveness to houses and their meanings was common in one aspect or another to many of Pater's contemporaries and predecessors, and links him to the pre-Raphaelite school of writers and painters. The work of that circle used material life as a series of symbols, form and color expressing the unutterable. It was natural that they should find the very draperies of the house significant, should transform the red rose into passion, should find the scent of flowers heavy, and the sunshine over-golden in a room that had concealed a guilty love. To Rossetti one place was never like another: each house bore the imprint of the souls it sheltered; each chamber was deep-tinctured with pain or joy. In his paintings every detail is fraught with meaning, as the frieze of cherub-heads in the room where Dante sits when they come to tell him of Beatrice's death; the lamp over the strait, white bed of the Virgin in *The Annunciation*. In his poetry the same feeling is visible for the mystery of the house, inhabited, or from which its tenants have passed away, as in the sonnet on Blake's work-room and death-room: —

This is the place. Even here the dauntless
soul,
The unflinching hand wrought on; till in that
nook,
As on that very bed, his life partook
New birth and passed. Yon river's dusky
shoal,
Whereto the close-built coiling lanes unroll,
Faced his work-window, whence his eyes
would stare
Thought-wandering, unto naught that met
them there,
But to the unfettered irreversible goal.

This cupboard, Holy of Holies, held the cloud

Of his soul writ and limned; this other one, His true wife's charge, full oft to their abode Yielded for daily bread the martyr's stone, Ere yet their food might be that Bread alone, The words now home-speech of the mouth of God.

The Blessed Damosel leans from the rampart of God's house, to which, it would seem, all the intimate symbols of the earthly existence have been transferred. The long series of the love-sonnets is called *The House of Life*, as if the experiences of love were indeed a series of rich and many-colored chambers. This use of the word house seems peculiar to a wandering and nostalgic generation. A certain sonnet by Francis Sherman bears the title "The House of Forgiveness," making of forgiveness not an act, but a feeling in which one is really at home, though the home-coming be sorrowful.

A less mystical expression of this appreciation of the significance of houses is found in their studied and self-conscious adornment by their tentative inhabitants, replacing the old natural process made possible by the long continuance of one family in the homestead. It is not by chance that the Mona Lisa hangs where the flickering firelight may reveal her smile; that the bowl of roses is placed in a window that frames a snowy landscape. This trickery may not be the fruit of a great age; but it is not without its fascination, revealing as it does the complex modern character, in a sense homeless, and round which a noble and simple dwelling would not naturally shape itself.

In one of these self-conscious houses, the bedrooms are ascetic, their bareness relieved only by a single picture upon the walls,—in each case a great picture good to look upon last of all as one sinks to sleep. The living-rooms below are in strong contrast to these chambers of sleep, because of their offerings to the eye in books and pictures and adornments, all disposed with subtle intention, even to the violets placed near the drooping

head of Michael Angelo's Slave; and an Antinous near a crucifix. Noble heads by Rubens, by Rembrandt, and Vandyke hang on the walls of the dining-room that the household may dine always in great company. It is her house by all these things, by the mottoes carved over fireplaces and doorways, by the pictures on the staircase wall, a fair procession ascending to the upper floors; it is her house because it perfectly reflects its modern chatelaine, the restlessness of her intellect, the catholicity of her tastes. It is a house, wonderfully adorned; but it imparts no impression of permanency, because it expresses not the accumulated tastes of generations of the same family, but the moods of an individual.

There is another form of the house which seems peculiar to this generation. In cities where space is grudgingly meted out, a room becomes in many cases representative of an entire house, since within it are brought together the symbols of the home that exists only as an ideal. The tea-table, the couch, the shelf of books, the little growing plants, all in close proximity, are expressive of the one-room state of existence through which a considerable portion of humanity is passing, an existence typical of certain social conditions of modern life,—the congestion of population in cities, the increase of women wage-earners, the increase of the independent "bachelor-woman," and, perhaps as the mainspring of the whole, the restlessness of the modern temper.

The one room is in some instances more significant of personality than an entire house, since in it are brought together the gods that its tenant cannot do without, the single shelf of books outweighing thus the great library as a key to character. The acquired literary affections of the one-room tenant are frequently stowed away in cellar or loft; but his heart speaks from the volumes on his limited shelves. In a certain hall-bedroom are many works on social economies; but, as a reward for labor when ambition flags towards midnight, there

are the *Essays of Elia*, the poems of Villon to meet an occasional vagabond mood of the boy, and novels of Dickens to stimulate good-humor. This then is his house. It holds one touch of romance, a drawing of Duse's head. He had seen her play one troubled, unforgettable night when his youth was in abeyance. In another room a bachelor, a lover of horses, has lived for ten years surrounded by colored pictures of reigning favorites. This cheerful and meagre house is home to him. The centre of still another room is one of Leonardo's intellectual Madonnas. About her are grouped austere or mystical faces by other masters. In the bookcase are Maeterlinck and Short-house and Meredith. There is no teatable in this room, and the chafing-dish is absent.

Yet both the single-room house and the many-chambered houses of the rich—the one transitory, the others but places of intermittent dwelling—are representative of a generation of wanderers. The spirit of unrest possesses rich and poor alike; the college-bred and those who have not received that somewhat doubtful gift of modern progress, "a thorough education." The tendency of the times is to render men homeless in more than the material sense. An irresistible force, saddening to some, sweet to others, has driven them from their house of faith, from their accustomed modes of thought, from the old habitations of the intellect. They are driven by the spirit into the wilderness, there to build new, but not permanent tabernacles. This mental exile, or this thirst for discovery, has its counterpart in the material life. Home is the tent, the lodging-house, the vestibuled car, the ocean-steamer, the furnished house to rent for a season. The very rich are not content with one home on whose chambers to record their lives. Their year is divided among many places, so that it is not possible for them to feel the spirit of the house, that intimate charm produced by long indwelling. There is no time for those accumulated

impressions which make up the sense of home. Cosmopolitanism does not know that there is only one window in the world where the blossoms of the cherry-tree drift across the sill, only one room where the summer dawn steals in as an enchantment, only one fireplace before which to dream and dream. Yet these wanderers are often those who are most homesick, and who appreciate most keenly the New England or Southern house where generation after generation of the same family has left its impress.

There is a conception of the house, however, which belongs exclusively to no age, or to no social condition; which is less of an ideal than a longing for a fixed habitation, a friendly abode for that part of man's being which resents the hospitality of death. The dweller for seventy years in the ancestral home, and the dweller in a dozen studios may feel towards the close of life, or at times of deep emotion, the imperious memory of a house that they cannot find. The simplicity of the early church, the childlike literalness of the Middle Ages, placed it in a material heaven and enriched it with the gems and gold of earth. Marcus Aurelius, in the loneliness of the House of the Cæsars, built for himself "a wide city" in which to forget Rome and remember humanity. Augustine called it the City of God. The hermits were content with caves in anticipation of that ample dwelling-place. The tombs on the Appian Way, spacious abodes of the dead, witnessed to the finality of all things, as the twilight of Rome came on with gorgeous hues; but Christian sepulture gave to the body a house in the earth, where it might await—through how many centuries!—the final home-coming of the just.

The immemorial associations of men from birth to death are centred in this craving of both soul and body for a habitation upon which to leave their impress. If the nostalgia for the material abode be great, that for the spiritual is greater. In wistful moods men may remind their

fellows that this longing is an uncertain index that a House will be provided. What to one generation is the language of immortality, becomes to another but an elaborate epitaph, and the last habitation of all may furnish only a text for the

Hydriotaphia of a Sir Thomas Browne. But whatever the doubt of the intellect, men will not cease to write upon the walls of their houses the inscriptions that witness to their strong desires, to their unconquerable hopes.

JOSEPH CONRAD

BY JOHN ALBERT MACY

To the newest generation of adult readers the dawn of a literary light is a rare experience. It is as if the courses of our literature were Arctic in their slowness, as if the day came at long intervals, and then without warmth or brilliance. Our fathers knew the joy of welcoming the latest novel of Dickens or a new volume of essays by Carlyle. The only great day whose beginning young men have witnessed is the day of Kipling; his light mounted rapidly to a high noon, and if the afternoon shadows have begun to deepen prematurely, that sun is still beautiful and strong. Other lights have kindled in the last fifteen years, and have gone out before they had fairly dislodged the darkness, or have continued to burn dimly.

Eyes accustomed only to darkness and uncertain lights are in condition to be deluded by the phantoms of false dawn; it is therefore unwise to greet with too much enthusiasm the arrival of Mr. Joseph Conrad. Even if the dawn is real, it is certainly overcast with heavy clouds, and it has not proved bright enough to startle the world. Nevertheless, his light is of unique beauty in contemporary literature, and the story of its kindling makes interesting biography.

Joseph Conrad Korzeniowski was born fifty years ago in Poland. His father, a critic and poet, and his mother, who was exiled to Siberia, were engaged in

revolutionary journalism. At nineteen Conrad left home, to escape an unsettled life, and also, it is fair to assume, to satisfy his love of adventure. He found work on English vessels, and this fact gave to contemporary English letters a man who might otherwise have written in French. To-day he appears in handbooks of biography as Master in the British Merchant Service, and Author. At nineteen he had not learned English; at thirty-eight he had published no book. Since then he has published about a volume a year. In preparation for his books he sailed as able seaman, mate, and master, for twenty years, on steam and sailing craft, and meanwhile he was reading deep in French and English literature,—all, we are told, with no intent to become a writer.

Indeed it was a period of ill health resulting in an enforced idleness from the familiar sea that gave him opportunity to put some of his adventures into words. Perhaps he is a lesser illustration of a theory of Thoreau's that a word well said "must have taken the place of a deed by some urgent necessity, even by some misfortune, so that the truest writer will be some captive knight, after all." However that may be, the intellectual and physical adventures of Conrad's life were abundant, and they reappear, discernible though transfigured, in the substance and the qualities of his work.

His ten books are for the most part

concerned with the waters of the earth, and the men that sail on the face of the waters, and with lands, far from English readers, to be reached only by long journeying in ships.¹ His first book, *Almayer's Folly*, tells the story of a disappointed Dutch trader in Borneo, whose half-caste daughter runs away with a Malay chief. His second book, *An Outcast of the Islands*, deals further with the career of Almayer and with that of another exiled Dutchman. His latest book, *Nostromo*, has for its scene an imaginary South American state, and its heroes are an Englishman and an Italian. *The Nigger of the Narcissus* (published in America as *The Children of the Sea*) and *Typhoon* are each the chronicle of a voyage. *Lord Jim* is the story of a young mate who disgraces himself by one unseamanlike act, and becomes a wanderer in the eastern islands, and finally a kind of king in a village of savages. *Tales of Unrest* contains five stories, two of which are about Malays, and another about white traders in an African station. The hero of "Falk" — the title story of a volume of three pieces — is a Scandinavian sailor who has been a cannibal, and who wins the daughter of a German ship captain in an Eastern port. "Youth," the first story in a volume of three, is the memory of a young mate's voyage in an unseaworthy ship, which burns and leaves the crew to seek an Eastern seaport in the boats. The second story, "The Heart of Darkness," is an account of a journey into the Belgian

Congo State and a curious study of the effect of solitude and the jungle and savagery on a white trader. The third piece in the volume is the story of a ship-captain who steers his ship with the help of a Malay servant and lets no one guess until the end that he is blind. Of two books written in collaboration with Mr. Ford M. Hueffer, the only one worth considering, *Romance*, comes the nearest to being the kind of fiction that the advertisements announce as "full of heart interest, love, and the glamour of a charming hero and heroine." It begins with a smuggler's escapade in England, and ends in an elopement in the West Indies; the best parts, probably Mr. Conrad's share in the work, are those about the sea and all that on it is, fogs, ships and bearded pirates. In these books are men and women of all civilized nations, the acquaintance of a globe-trotter, and there are, besides, enough Malays, Chinamen, and Negroes to make the choruses of several comic operas. Only in Conrad they are serious people, every Malay with a soul and a tragedy; even the Nigger of the *Narcissus* is equipped with psychological machinery.

Conrad's subject-matter, the secretion of experience, is rich enough and of sufficiently strange and romantic quality to endow a writer of popular fiction; and his style, — that is, the use of words for their melody, power, and charm, — is fit for a king of literature. Stevenson, who found so little sheer good writing among his contemporaries, would, I think, have welcomed Conrad, and have lamented that he could not or would not tell his stories in more brief, steady, and continuous fashion.

For there is the rub. Conrad is not instinctively a story-teller. Many a writer of less genius than he surpasses him in method. He has no gift of what Lamb calls a bare narrative, — such gift as was bestowed, say, on Frank Stockton, who never wrote a fine sentence.

There are writers with magnificent power of language who do not attain that

¹ *Almayer's Folly*. The Macmillan Co. 1895.

An Outcast of the Islands. Tauchnitz. 1896.

The Nigger of the Narcissus (*Children of the Sea*). Dodd, Mead & Co. 1897.

Tales of Unrest. Charles Scribner's Sons. 1898.

Lord Jim. McClure, Phillips & Co. 1899.

The Inheritors (with F. M. Hueffer). McClure, Phillips, & Co. 1901.

Typhoon. G. P. Putnam's Sons. 1902.

Falk. McClure, Phillips & Co. 1903.

Youth. McClure, Phillips & Co. 1903.

Romance (with F. M. Hueffer). McClure, Phillips & Co. 1904.

Nostromo. Harper & Brothers. 1904.

combination of literary and human qualities which is readableness, and there are others who interest many people in many generations, and yet do not write well. To most readers Dickens is as delightful when he writes slovenly sentences as when he writes at his best. Scott, the demigod, pours out his great romances in an inexpressive fluid. On the other hand, Walter Pater writes infallibly well. These illustrations are intended to define a difference which is a fact in literature, and are not to be carried to any conclusive comparison. The difference exists and it is not a strange fact. It is strange, however, and deplorable, that Conrad, who spins yarns about the sea, master of a kind of subject-matter that would make his books as popular as *Robinson Crusoe* and *Treasure Island*, should be one of those who can write but cannot make an inevitably attractive and winning book.

Either he knows his fault and cannot help it, or he wills it and does not consider it a fault. There is evidence on this question. Several of his stories are put in the mouth of Marlow, an eloquent, reflective, world-worn man. In one place Conrad says, "We knew that we were fated, before the ebb began to run, to hear about one of Marlow's *inconclusive* experiences." The story Marlow tells is no more inconclusive and rambling than most of the other stories, so that one is forced to conclude that Marlow's character as narrator is Conrad's concession to his own self-observed habit of mind. In another place Conrad says: "The yarns of seamen have a direct simplicity, the whole meaning of which lies within the shell of a cracked nut. But Marlow was not typical (if his propensity to spin yarns be excepted), and to him the meaning of an episode was not inside like a kernel, but outside, enveloping the tale which brought it out as a glow brings out a haze, in the likeness of one of these misty halos that sometimes are made visible by the spectral illumination of moon-shine." Evidently Conrad prefers or pretends to prefer the haze to the kernel.

In an essay on Henry James he openly scorns the methods usual to fiction of "solution by rewards and punishments, by crowned love, by fortune, by a broken leg or sudden death," and says: "Why the reading public, which as a body has never laid upon the story-teller the command to be an artist, should demand from him this sham of divine omnipotence is utterly incomprehensible." Thus Mr. Conrad flings down the gauntlet to those demands of readers which greater men than he and Mr. James have been happy to satisfy without sacrifice of wisdom and reality. For reward, the "British Public, ye who love me not," allow one of his books, *The Outcast of the Islands*, to be out of print, except in the Tauchnitz edition, and do not buy many of his other books.

A further announcement of his literary creed he made in a kind of artistic confession published a few years ago. "His (the prose writer's) answer to those who in the fulness of a wisdom which looks for immediate profit, demand specifically to be edified, consoled, amused, who demand to be promptly improved or encouraged, or frightened, or shocked, or charmed, must run thus: 'My task which I am trying to achieve is by the power of the written word to make you hear, to make you feel — it is before all to make you see. . . . If I succeed, you shall find there, according to your deserts, encouragement, consolation, fear, charm — all you demand; perhaps also that glimpse of truth for which you have forgotten to ask.'"

A writer with ideals so high and strongly felt commits himself for trial by exacting standards. It is necessary to remind Mr. Conrad that if a reader is to feel, he must first understand; if he is to hear, he must hear distinctly; and if he is to see, his eye must be drawn by interest in the object, and it can look only in one direction at once. *Nostromo* is told forward and backward in the first half of the book, and the preliminary history of the silver mine is out of all

proportion to the story of *Nostromo*, the alleged hero of the book. *Lord Jim* is clumsily confused. The first few chapters are narrated in the third person by the author. Then for three hundred pages Marlow, as a more or less intimate spectator of Jim's career, tells the story as an after-dinner yarn. It would have taken three evenings for Marlow to get through the talk, and that talk in print involves quotation within quotation beyond the legitimate uses of punctuation marks. In other stories the point of view fails. In *The Nigger of the Narcissus* are conferences between two people in private which no third person could overhear, yet the narrative seems to be told in the first person by one of the crew. In *Typhoon*, where a steamer with deck almost vertical is plunging through a storm, we are on the bridge beside the simple dogged captain while he shouts orders down to the engine-room through the tube. Without warning we are down in the engine-room, hearing the captain's voice from above, and as suddenly we are back on the bridge again. A man crawls across the deck in a tempest so black that he cannot see whose legs he is groping at. We are immediately informed that he is a man of fifty, with coarse hair, of immense strength, with great lumpy hands, a hoarse voice, easy-going and good-natured, — as if the man were visible at all, except as a blot in the darkness!

Conrad has a mania for description. When anything is mentioned in the course of narrative, though it be a thousand miles from the present scene, it must be described. Each description creates a new scene, and when descriptions of different and separated places appear on the same page, the illusion of events happening before the eye is destroyed. If a writer is to transport us instantaneously from one quarter of the globe to another he should at least apprise us that we are on the magic rug, and even then the space-o'erleaping imagination resents being bundled off on hurried and inconsequential journeys. Often when Conrad's

descriptions are logically in course, they are too long; the current of narrative vanishes under a mountain (a mountain of gold, perhaps, but difficult to the feet of him who would follow the stream); and when the subterranean river emerges again, it is frequently obstructed by inopportune, though subtle, exposition.

Conrad's propensity for exposition is allied, no doubt, with his admiration for Mr. Henry James, of whom he has written an extremely "literary" and confusing appreciation. Too much interest in masters like Flaubert and Mr. James is not gentlemanly in a sailor, and it cannot help a sailor turned writer, who pilots a ship through a magnificent struggle with a typhoon, leads us into the bewitching terror of the African jungle, and guides us to Malay lands where the days are full of savage love, intrigue, suicide, murder, piracy, and all forms of picturesque and terrific death. Mr. Conrad finds that there are "adventures in which only choice souls are involved, and Mr. James records them with a fearless and insistent fidelity to the *péripéties* of the contest and the feelings of the combatants." That is true and fine, no doubt, but the price which Mr. Conrad pays for his ability to discover it is the fact that hundreds of thousands of readers of good masculine romance are not reading *Lord Jim*, or finding new "Youth" in a young mate's wondrous vision of the East, or welcoming a new hero in Captain Whalley. A man who can conceive the mournful tale of Karain and the fight between the half crazy white men at an African trading post has a kind of adventure better, as adventure, than the experiences of Mr. James's choice souls. Stevenson knew all about Mr. James and his "*péripéties*," but he could stow that knowledge on one side of his head, and from the other side spin *Treasure Island* and *The Wrecker*. *The Sacred Fount* never could have befuddled the chronicle of the amiable John Silver, but in Mr. Conrad's *An Outcast of the Islands*, where it seems to be a question which white man will kill the

other, after a dramatic meeting in the presence of a Malay heroine, each man stands still before our eyes and radiates states of mind.

The lover who finds fault with his sweetheart because he is so proud of her, is perfectly human and also perfectly logical. So our reason for dwelling on Mr. Conrad's shortcomings is because his books are thoroughly worth consideration. His advent is really important. More than any other new writer he is master of the ancient eloquence of English style; no one since Stevenson has surpassed in fiction the cadence and distinction of his prose. Never has an English sailor written so beautifully, never has artist had such full and authoritative knowledge of the sea, except Pierre Loti. Stevenson and Kipling are but observant landmen after all. Marryatt and Clarke Russell never wrote well, though they tell absorbing tales. There is promise in Mr. Jack London, but he is not a seaman at heart. Herman Melville's eccentric genius, greater than any of these, never led him to construct a work of art, for all his amazing power of thought and language. Conrad stands alone with his two gifts of sea experience and cultivation of style. He has lived on the sea, loved it, fought it, believed in it, been baffled by it, body and mind. To know its ways, to be master of the science of its winds and waves and the ships that brave it, to have seen men and events and the lands and waters of the earth with the eye of a sailor, the heart of a poet, the mind of a psychologist — artist and ship-captain in one — here is a combination through which Fate has conspired to produce a new writer about the most wonderful of all things, the sea and the mysterious lands beyond it.

If we grant that he is not master of the larger units of style, that is, of construction, we can assert that in the lesser units, sentence for sentence, he is a fine writer of the English tongue. There is a story that he learned English first from the Bible, and his vigorous primal usages of words, his racial idioms and ancient

rich metaphors warrant the idea that he came to us along the old broad highway of English speech and thought, the King James version. His sentences, however, are not biblical as Stevenson's and Kipling's often are, but show a modern sophistication and intellectual deliberateness. He frequently reminds us that he is a Slav who learned French along with his native tongue, that he has read Flaubert and Maupassant, and alas, Mr. Henry James. Approaching our language as an adult foreigner, he goes deep to the derivative meanings of words, their powerful first intentions, which familiarity has disguised from most of us native-born to English. He has achieved that ring and fluency which he has declared should be the artist's aim. If equal excellence made similarity, his sentences, often his sentence sequences, would not find themselves out of place in Stevenson's *The Wrecker* or *The Ebb Tide*, or in a perfect English translation of Loti. The sea pictures I have in my mind are those of Whistler and Mr. Charles Woodbury and Loti and Conrad. Conrad's prose lifts to passages of great poetic beauty, in which the color of the sea, its emotional aspects, its desolation and its blitheness, are mingled with its meaning for the men who sail it, its "austere servitude," its friendliness and its treachery.

"The ship, a fragment detached from the earth, went on lonely and swift like a small planet. Round her the abysses of sky and sea met in an unattainable frontier. A great circular solitude moved with her, ever changing and ever the same, always monotonous and always imposing. Now and then another wandering white speck, burdened with life, appeared far off, — disappeared, intent on its own destiny. . . . The august loneliness of her path lent dignity to the sordid inspiration of her pilgrimage. She drove foaming to the southward, as if guided by the courage of a high endeavor. The smiling greatness of the sea dwarfed the extent of time."

A reviewer recommending a man he

admires should make ample recognition of his faults, in order that none may complain of being invited to an entertainment heralded above its true merit; then it should be his duty to lure the reader and speed the writer. No fairer temptation can be offered the reader than to quote a passage from the end of "Youth," and no more honest praise can be offered to Mr. Conrad than to say that it is a selected, but by no means unique, specimen of his genius.

A crew that have left a burning ship in boats find an Eastern port at night. The weary men tie to the jetty and go to sleep. This is the young mate's narrative years after, the narrative of the reflective and eloquent Marlow: "I was lying in a flood of light, and the sky had never looked so far, so high, before. I opened my eyes and lay without moving. And then I saw the men of the East—they were looking at me. The whole length of the jetty was full of people. I saw brown, bronze, yellow faces, the black eyes, the glitter, the color of an Eastern crowd. And all these beings stared without a murmur, without a sigh, without a movement. They stared

down at the boats, at the sleeping men who at night had come to them from the sea. Nothing moved. The fronds of palms stood still against the sky. Not a branch stirred along the shore, and the brown roofs of hidden houses peeped through the green foliage, through the big leaves that hung shining and still like leaves forged of heavy metal. This was the East of the navigators, so old, so mysterious, resplendent and somber, living and unchanged, full of danger and promise. . . . I have known its fascinations since: I have seen the mysterious shores, the still water, the lands of brown nations, where a stealthy Nemesis lies in wait, pursues, overtakes so many of the conquering race, who are proud of their wisdom, of their knowledge, of their strength. But for me all the East is contained in that vision of my youth. It is all in that moment when I opened my young eyes on it. I came upon it from a tussle with the sea—and I was young—and I saw it looking at me. And this is all that is left of it! Only a moment of strength, of romance, of glamour, of youth!"

THE SCIENTIFIC HISTORIAN AND OUR COLONIAL PERIOD

BY THEODORE CLARKE SMITH

THE stream of writings upon American history has been flowing strongly for a century, until now the field is buried deep with monographs, documents, biographies, textbooks, and political or institutional studies. A wilderness of separate works of all kinds and of all degrees of merit confronts the student, but within the last few years the conviction has been felt by many that the time has arrived when the results of research and interpretation may well be given a lasting,

general form. As a result of this idea the publication has been begun of no less than seven elaborate, comprehensive works, and by this time they have progressed sufficiently far to enable us to see how the historian of to-day digests the redundant mass of historical information hitherto produced. At the same time, however, the current of historical writing continues to flow in all its accustomed channels so that the general works, as they issue from the press, are accompanied by a steady

stream of lesser volumes, amplifying and modifying the historical knowledge of the country while it is in the process of being summed up.

In the first place there are still documents to be published with editorial comments and elucidations; and while state governments and historical societies are busy with public archives, a minor form of original source, just now high in favor for artistic reproduction, is the narrative of early travel. For example, there has recently been printed the diary of George Washington, describing his journey in 1784 from the Potomac to the Ohio River with a view to planning for a trans-Appalachian canal. In every line the clear-headed, far-sighted, and prosaic nature of the future President appears.¹ This is now published in full with copious notes and explanations and an enthusiastic, rather magniloquent introduction by Archer Butler Hulbert. For a later period, when the frontier had been pushed back from the Ohio to the Mississippi, we have the Personal Narrative of Fordham, a lively young Englishman, who traveled in 1817 to an English colony in Illinois, now published with copious notes by Frederic Austin Ogg.² In this we find the same frontier types of settlers met in Pennsylvania by Washington and little changed. Still later is the journal of J. W. Audubon, son of the famous naturalist, who led a party of forty-niners to California by way of Texas and New Mexico. His tale of adventure and suffering is now edited by Frank H. Hodder.³ as a further

contribution to frontier description. No one of these volumes adds anything material to the history of the country, but their social and local antiquarian interest is considerable and their editing is as admirable as their typography, paper, and binding.

But the printing of sources is not history. That demands the effort of a writer to show us the past, not through the eyes of any one man, but as it actually was; and the extent to which he succeeds depends wholly upon his ability, training, and purpose. At the outset one encounters the book whose author relies upon the facts ascertained by others and contributes nothing but his own rearrangement, which may be highly valuable but is quite as likely to be narrow and inaccurate. A book of this character is one upon *The French Blood in America*, by Lucien J. Fosdick;⁴ which may be described as a collection of miscellaneous information about French Huguenots who migrated to this country, and about persons of prominence in American history for whom some degree of French ancestry can be traced. The purpose of the whole is to exalt the part played by Huguenot exiles and their descendants, but the claims advanced are so boundless and the critical ability displayed so slender as to provoke incredulity.

Equally based upon the labors of other people, but better balanced, are two large volumes by De Alva S. Alexander entitled *A Political History of New York*.⁵ The author appears to have consulted only standard histories and biographies, and so adds nothing to our knowledge of the field, while his point of view is so personal that the work consists of little more than a chronicle of nominations, elections, and struggles for party leadership from the days of Burr and Clinton to those of

¹ *Washington and the West*. Being George Washington's Diary of September 1784, . . . and a Commentary upon the same. By ARCHER BUTLER HULBERT. New York: The Century Company. 1905.

² *Personal Narrative of Travels*. By ELIAS PYM FORDHAM. Edited by FREDERIC AUSTIN OGG. Cleveland: The Arthur H. Clark Company. 1906.

³ *Audubon's Western Journal: 1849-1850*. By JOHN W. AUDUBON. With Biographical Memoir by his daughter, MARIA R. AUDUBON. Introduction, Notes and Index by FRANK H. HODDER. Cleveland: The Arthur H. Clark Company. 1906.

⁴ *The French Blood in America*. By LUCIEN J. FOSDICK. New York: Fleming H. Revell Company, 1906.

⁵ *A Political History of the State of New York*. By DE ALVA STANWOOD ALEXANDER. 2 vols. New York: Henry Holt & Co. 1906.

Weed, Seward, and Seymour. Still, in this limited field Mr. Alexander writes with vigor, and shows generally a sound judgment which partly atones for his tendency to hero-worship and his lack of research.

It is, however, among the books where the writer has an actual acquaintance with the evidence and applies his mind to the process of interpretation that historical progress usually takes place. Here we find two types. In one the author concerns himself mainly with the discovery of facts; in the other he devotes his powers chiefly to their interpretation. The former is the special province of the monograph, that highly technical product of our University training schools. An excellent example of this type is a recent study of the growth of freedom of the press in Massachusetts, by Clyde A. Duniway.¹ Here we have a narrow field and the complete exhaustion of all discoverable evidence bearing upon it. The text is shored up with innumerable notes and citations; buttressed with bibliographies and appendices. This chapter is now closed. It belongs to Mr. Duniway. Hereafter any one who wishes to know anything on this subject will refer to this monograph.

Inspired by the same spirit are two volumes by Herbert L. Osgood, *The American Colonies in the Seventeenth Century*; for, although the field is much larger and the display of technical apparatus is less, the method is substantially identical.² Mr. Osgood's work is devoted to a careful study of the political institutions of the corporate and proprietary colonies, and it is based upon all the known sources, as its copious footnotes indicate. Other aspects of colonial history — such as the economic or social or imperial — are either ignored or strictly subordinated. In neither of these monographs does the

author concern himself with personalities. The style is lucid, colorless, and concrete. No scholar nor student of American colonial history can afford to neglect them, and probably no one but a scholar will read either of them. Their interest lies wholly in the technical field of historiography.

A higher type of historical writing is that wherein the author, acquainted with the sources and familiar with whatever has been written on his subject, seeks to explain and illuminate some past series of events. This is history with a purpose, and it is well illustrated in Captain Mahan's latest book on the *Sea Power in Its Relations to the War of 1812*.³ Here we find all the well-known characteristics of this authoritative writer: the clear, careful analysis of events, the masterly reconstruction of naval manoeuvres and combats, the passionless style, relieved now and then by touches of sarcasm, and the entire fairness to both sides. Less literary than Cooper's history of the war, less vivacious than Roosevelt's, less incisive than Henry Adams's, this will supplant them all as an authority. Probably the strongest feature of the work, apart from the purely naval chapters, is the preliminary study of the British naval and trade policy which sheds new light on the tangled diplomacy of the years before 1812. Captain Mahan brings out clearly that the English conceptions, both of impressment and of trade relations with America, were the outgrowth of the experience of many generations and were based upon a definite theory of national interest. The book ends somewhat abruptly, however, with the conclusion of the treaty of Ghent and makes one wish that the author had carried his survey of Anglo-American trade relations to a conclusion. The only defect to be noticed — apart from the presence of several singularly confused drawings of naval combats — is the author's failure to note

¹ *The Development of Freedom of the Press in Massachusetts*. By CLYDE AUGUSTUS DUNIWAY. Harvard Historical Studies, XII. New York: Longmans, Green & Co. 1906.

² *The American Colonies in the Seventeenth Century*. By HERBERT L. OSGOOD. 2 volumes. New York: The Macmillan Company. 1904.

³ *Sea Power in Its Relations to the War of 1812*. By CAPTAIN A. T. MAHAN. 2 volumes. Boston: Little, Brown & Co. 1906.

the social and sectional influences which controlled American party policy in these years. His unconcealed contempt for the diplomatic and military careers of Jefferson and Madison — a contempt which no one would deny to be abundantly merited — is not accompanied by any recognition of the reasons for their peculiar line of action.

This style of writing, easily controlled by a master, like Captain Mahan, goes to wreck in the hands of the ill-trained or partisan writer. The careful analysis and weighing of evidence which leads the one to his conclusions is replaced in the case of the other by the employment of sources to justify preconceived ideas. Mr. William E. Fitch, for instance, in *Some Neglected History of North Carolina*, announces his purpose to demonstrate that the revolt of the "Regulators" against Governor Tryon in 1771 "kindled the flame . . . that eventually, Vesuvius-like, spread with the rapidity of a wild forest fire, until the oppressed of the thirteen colonies were aflame with righteous indignation and unitedly determined to throw off forever the YOKE of British oppression."¹ Unfortunately for the writer's thesis, the documents he cites show that the uprising was purely against local misgovernment, and that the governor — a fiend incarnate — was supported by the legislature and the eastern counties which later led the revolt against British authority. Scarcely any attempt is made to account for this fact. The value of the book lies wholly in the original documents reprinted from the North Carolina Records.

Of greater weight than this product of ill-founded local enthusiasm, but almost equally far removed from Captain Mahan's well-ordered history, is a volume by William B. Weedon, entitled *War Government, Federal and State, 1861-1865*. In this the author studies the re-

lations between Lincoln and five state governors, — Morton, Andrew, Curtin, Morgan, and Seymour, — for the purpose of answering this question: Did these men, in fact, do all that they could and should have done for the suppression of the rebellion?² The book is not a study of technical administration, of legislation, nor of constitutional powers; it does not concern itself with the details of government, but is rather a study of personalities and popular feeling and a critique of executive policy. Its distinguishing mark is the entire absence of any pretense at impartiality. The author is frankly dogmatic and fearlessly individual in his opinions. To him the exaltation of executive authority, supported by popular approval, is the ideal of government. He continually speaks of the "kingly prerogatives" of Lincoln, calls the war governors "Satraps of the people," and finally reaches the point of terming executive power, "a God-like faculty." Any failure by Lincoln or a state governor to use his one-man-power to the fullest extent he stigmatizes as a culpable weakness. He insists throughout that the one supreme error of the war was the failure to accept all the volunteers who came forward in 1861, and so swamp the rebellion at the outset. Any persons who failed to sustain this one-man-power naturally fare ill in his pages. The carping lawyers who criticised Lincoln are contemptuously waved aside, routine stupidity at Washington is lashed, regular army officers castigated, and the Democratic opposition pitilessly flayed. Governor Morton of Indiana stands out as the ideal patriot, Governor Seymour of New York is a "miscreant." Summed up, the author's position is that anything was right which the people, that is the Republican majority, would support. It is superfluous to observe that this is not ideal history; but it should be added that it makes

¹ *Some Neglected History of North Carolina*. By WILLIAM EDWARDS FITCH. New York and Washington: The Neale Publishing Company. 1905.

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² *War Government, Federal and State, in Massachusetts, New York, Pennsylvania and Indiana, 1861-1865*. By WILLIAM B. WEEDON. Boston: Houghton, Mifflin & Co. 1906.

highly interesting reading. The style, sometimes eccentric and inclined to digression, is always keen, pungent, and fearless. The characterization of Lincoln is refreshingly free from conventionality either in praise or blame, and, with all its partisanship, the book has distinct value.

Turning from these various studies in American history to the new comprehensive works, it is almost appalling to realize that it is by the digestion of a multitude of just such books — documentary or narrative, partisan or scientific, broad or narrow, good, bad or indifferent — that the general work must be produced. Prodigious as the task appears, it has been completed in the case of two histories, and in five others is so far advanced that we are in a position to judge of their character and to gather their verdict upon the interesting period of early exploration and colonization.

Of the two completed histories, the five-volume work of Woodrow Wilson, first in the field, is now joined by a similar four-volume history over the names of James W. Garner and Henry Cabot Lodge.¹ Each of these attempts to present in brief form the results of modern scholarship for the benefit of the general reading public. Of the two, that of President Wilson is fluent, literary, discursive, personal; a prolonged essay on the causes and consequences of things. That of Mr. Garner and Senator Lodge is more solid, compact, and clear, without especial distinction of style and less philosophically ambitious. Each runs at times into vagueness in the effort to avoid undue detail, and each shows a desire to be "timely" and "up-to-date" by giving abundant space to the doings of the past few years.

Yet these works, however comprehensive, and to whatever extent based on their authors' acquaintance with the sources, are avowedly narrative, popular, and unanalytical. They are abundantly illustrated with imaginary pictures, and differ from such earlier works as those of Bryant and Gay, Ridpath or Ellis, only in their more modern, broader point of view, and the sounder scholarship behind them.

A higher aim is professed by the other five general histories whose publication is not yet concluded. Their purpose is to furnish a complete, detailed account, which shall sum up the present state of historical knowledge, and it is from them that we may hope to gain the reasoned, final judgment of American historical scholarship upon the colonial period.

Of the two histories produced by a single writer, that by Edward Channing is the briefer.² The first volume covers the ground to 1660 in a little over five hundred pages, with numerous references and a collection of critical notes at the end of each chapter. There is something singularly intimate and personal about this book. Beginning without introduction or flourish, the author narrates the course of events, emphasizing important points, calmly ignoring minor ones, never theorizing, never arguing, but evincing a steady clearness of judgment which appeals to the reader with growing power. This sense of balanced judgment is reinforced by the shrewd, occasionally ironical or humorous style which reflects the personality of the author. The book is not universal, it is not even broad; it is just the utterance of the personal opinions of Edward Channing, who has devoted his life to this particular field. It is alive all through.

The other history written by a single author is that of Mr. Elroy M. Avery, which covers in two large volumes the same ground which Channing deals with

¹ *A History of the American People*. By WOODROW WILSON. 5 volumes. New York: Harper & Brothers. 1903.

The History of the United States. By JAMES WILFORD GARNER and HENRY CABOT LODGE. With a historical review by JOHN BACH McMASTER. 4 volumes. Philadelphia: John D. Morris & Co. 1906.

² *A History of the United States*. By EDWARD CHANNING. 8 volumes. Volume I. New York: The Macmillan Company. 1905.

in one.¹ Mr. Avery seems to have produced a good digest of what had been written before him, in a plain, clear style, usually without any ornament. He uses no footnotes, but his lists of authorities are ample, and his pages give evidence of the consultation of recent writers in special fields. On the whole his judgment is sound; he follows good authorities, and when they differ he selects that one which appeals to him as the better. Now and then small slips occur but, in general, his accuracy stands at a good level. What is lacking is precisely the quality which makes Mr. Channing's book noteworthy, — the impression of personality and individual authority. Where Mr. Channing's volume is stimulating, those of Mr. Avery are at best adequate or intelligent.

Turning to the historical works produced by collaboration, the ten-volume series begun by Messrs. Chancellor and Hewes may be dealt with rather briefly.² The plan has some original features, since in each volume Mr. Chancellor writes on political and military history, and is followed by Mr. Hewes on economic and social progress. The pages are peppered with small maps, chronological tables, and symbolical charts, and at the end are notes and bibliographies; but when the text is read it proves to be disappointing. Mr. Chancellor's history is not without merits; he continually emphasizes the relations of colonial beginnings to European events, endeavors to explain the significance of each step in colonization, and seems, on the whole, to avoid gross errors of fact. But his material is slight and it is further obscured by a flood of "literary" allusions and historical philosophy-and-water in an inflated style which becomes a weariness to the

reader's patience. Any one who can blithely write of the Norsemen, Columbus, or the Elizabethan seamen, "going a-viking" is free from the ordinary canons of literary criticism. Mr. Hewes's selections are less exuberant in style, but his social and economic history is equally meagre and disappointing. Statistical methods are obviously inadequate to illuminate the beginnings of civilization in the New World.

More extensive than any of the foregoing, and much more rapidly produced, are the two other coöperative histories, each of which aspires to be complete, authoritative, and final, — at once popular and scientific. *The American Nation* is a history in twenty-seven parts produced under the vigorous editing of Albert Bushnell Hart, to whose active personality the character of the series is in large part due.³ Each volume is written by a specialist in the period treated; each comprises about three hundred pages, certifies its sources by footnotes, and concludes with an elaborate critical essay upon the authorities. It shares, that is, the style of the monograph. Each volume, it should be added, is chiefly expository in form, and is written in a style which evinces extreme compression and self-restraint. In fact, the brief compass of the parts has forced the adoption of a tightly-reined-in manner. There is no room for ease. Nevertheless, the diverse authors achieve a considerable success. In the first group of five volumes devoted to the period of colonization, Mr. Cheyney furnishes a useful and

³ *The American Nation. A History from Original Sources by Associated Scholars. Edited by ALBERT BUSHNELL HART. In 27 volumes.*

Vol. I. *European Background of American History.* By EDWARD POTTS CHEYNEY.

Vol. II. *Basis of American History.* By LIVINGSTON FARRAND.

Vol. III. *Spain in America.* By EDWARD GAYLORD BOURNE.

Vol. IV. *England in America.* By LYON GARDINER TYLER.

Vol. V. *Colonial Self-Government.* By CHARLES McLEAN ANDREWS.

New York: Harper and Brothers. 1905.

¹ *A History of the United States and Its People.* By ELROY MCKENDRIE AVERY. In fifteen volumes. Vols. I and II. Cleveland: The Burrowes Brothers Company. 1904-05.

² *The United States. A History of Three Centuries, 1607-1904.* By WILLIAM ESTABROOK CHANCELLOR and FLETCHER WILLIS HEWES. In ten volumes. Vols. I and II. New York: G. P. Putnam's Sons. 1905-06.

suggestive introduction to the series, showing the social, political, and economic conditions of Europe and especially of England, which played a part in the colonizing movement. The second volume, by Mr. Farrand, on the *Basis of American History*, is a useful summary of the physical conditions of the North American continent, followed by a compact exposition of the languages, beliefs, and civilization of the primitive Indian population. This volume has the interest of a logical arrangement and clear statement, but its style is dry and without vivacity. Mr. Bourne's volume, next in the series, on *Spain in America*, displays real literary power in spite of its cramped quarters. It covers the field of early discovery and exploration, including the Spanish conquest of the tropics and South America, and concludes with a sympathetic description of the Spanish colonial empire and colonial policy. While the volume is perforce somewhat critical in character, it is strikingly fair-minded and catholic in temper.

The fourth volume, by Lyon G. Tyler, on *England in America, 1580-1652*, is compact and vigorous, but is less easy in style and less certain and authoritative in tone; but the fifth volume, by Charles M. Andrews, on *Colonial Self-Government, 1652-1689*, is both a well-written book and a distinct contribution to our knowledge. The author's thorough familiarity with the sources, especially with those in England, and his own confident temper of mind give a tone of authority, while his clear analytical style makes the early history even of New Jersey intelligible. On the whole the five volumes may be placed beside Mr. Channing's, superior to it in breadth and completeness if unequal in sustained merit.

In the other coöperative series, edited by Guy Carlton Lee and of late by Francis Newton Thorpe, we find larger volumes, averaging four hundred and sixty pages, a somewhat different arrangement of material, and a different style of presentation. The form is less technical;

there are no footnotes, appendices, or bibliographies; the style is less analytical, more narrative, and the whole treatment is more literary.¹ The first volume, by Alfred Brittain, on *Discovery and Exploration*, includes not only the Spanish discoveries, but later English and French travels, to the eighteenth century. About one half of the book consists of translated extracts from the narratives of explorers, the author supplying a connecting thread. Mr. Brittain makes no pretense at being severely critical, but the narrative is a sound one, and the book will prove useful.

The second volume, on *The Indians of North America in Historic Times*, by Cyrus Thomas, is rendered apparently chaotic by its plan of arrangement. Mr. Thomas takes up each tribe in geographical sequence, beginning in the West Indies, and gives an outline of its known history since its first contact with whites. There is no general historical survey, nor is there any coördination between the different parts of the book, so that in spite of the fact that the individual sketches of tribal history are well written, the volume is scarcely readable. It may serve, however, as a useful reference work, although the lack of footnotes will prove a hindrance.

The next three volumes are of greater merit. Mr. Hamilton, writing the history of *The Colonization of the South, 1511-*

¹ *The History of North America*. Edited by GUY CARLTON LEE and FRANCIS NEWTON THORPE. 20 volumes.

Vol. I. *Discovery and Exploration*. By ALFRED BRITTAİN in conference with EDWARD REED.

Vol. II. *The Indians of North America*. By CYRUS THOMAS in conference with W. J. McGEE.

Vol. III. *The Colonization of the South*. By PETER JOSEPH HAMILTON.

Vol. IV. *The Colonization of the Middle States and Maryland*. By FREDERICK ROBERTSON JONES.

Vol. V. *The Colonization of New England*. By BARTLETT BURLEIGH JAMES.

Philadelphia: George Barrie and Sons. 1903 and 1904.

1766, covers the territory from Virginia to Louisiana, and owing to his special knowledge of the field of early Southwestern history, devotes nearly one half the book to the Spanish and French colonies. This feature is a novelty, and a distinct addition to our knowledge, but in the account of Virginia and the Carolinas some things are left to be desired. The economic and institutional sides are not well developed, and such a significant event as Bacon's rebellion is scantily dealt with and inadequately explained. Nevertheless, the animated style and general ease of treatment make the volume attractive.

The fourth volume, on *The Middle States and Maryland*, by Mr. Jones, is what might be called a workmanlike production. It is well-planned, and with the exception of an occasional vagueness in statement, well written. It appears to be based on the most recent works, and to cover the ground without especial errors. As in Mr. Hamilton's volume, the economic and institutional sides are not largely developed, but in the midst of the book stands out one feature with unique prominence. Mr. Jones gives full, almost elaborate treatment to the intercolonial diplomacy of the English, Swedish, and Dutch governments, and in so doing makes a real contribution. In the fifth volume, by Mr. James, on the *Colonization of New England*, no such special distinction appears. The ground is covered in systematic manner without errors of importance, and without anything new. The book, like that of Mr. Avery above-mentioned, seems to be best characterized by such terms as intelligent or adequate. But there is, in all these books of Mr. Lee's series, a greater literary ease than in those of the *American Nation*. The tightly-reined, terse self-restraint is not so manifest, for although the actual space devoted to events is not much greater, the authors were under less constraint as to their manner in filling it.

Now how, in general, does our colonial history fare at the hands of these writers? The first striking feature is the modera-

tion in critical judgment of all these works. In spite of the savage and iconoclastic historical writing of recent years these authors, without exception, adopt a catholic tone and regard their province as constructive rather than the reverse. All of them, it is pleasant to observe, speak with sympathy of Columbus, admitting his failings but finding true greatness in him. Recent bitter attacks, whose aim seems to be to strip the Genoese of every claim to respect for character, aspiration, or achievement, are uniformly passed over as hypercritical. Or, to take another example, it is satisfactory to notice the treatment accorded to John Smith, the colonial adventurer undoubtedly best known to the traditional, anecdotal history of the country. Of late the narrative of the boastful explorer had been mercilessly assailed as the tale of an unqualified liar, but all of our historians, with the exception of Mr. Channing, persist in retaining Smith's account of early days in Virginia, and three of them—Chancellor, Tyler, and Hamilton—fully accept the Pocahontas rescue.

In another quarter where tradition has established an unfavorable impression, most of these writers labor to reinstate the victims. Ever since Irving's Knickerbocker History the tendency to regard the Dutch governors as a succession of ridiculous figures has persisted in spite of every effort of indignant New Yorkers. But only Mr. Avery seems inclined toward the traditional view, while all the others present Van Twiller, Kieft, and Stuyvesant as reasonable beings, and Channing maintains that they were really able men.

On the other hand, when it becomes necessary to pass judgment upon the Puritans the influences of the present day are too strong to permit the retention of a vestige of the filial eulogy once customary. People simply do not like Puritanism and no longer respect it. It is more remote from the present, more difficult to appreciate than the spirit of the discoverers, the explorers, or the buccaneers. Probably no more difficult task is im-

posed upon the historical imagination than that of representing the Puritan state of mind in the seventeenth century without caricature or repugnance. It is not surprising, then, to find in the works of Avery, Tyler, Andrews, or James a visible lack of sympathy with the essentially Puritan and Calvinistic features of Massachusetts Bay, and to meet with undisguised condemnation when we read of the persecution of Antinomians or Quakers. In the words of Mr. James they regard their conduct as "beyond measure of excuse or condemnation."

But Mr. Channing, who manifests no sympathy whatever with the bigotry of the Puritans, makes two points clear which the other writers scarcely notice. It should be recognized that the laws concerning religion were much the same in nearly all the colonies and in England at one time or another, so that the attention focused upon the behavior of Massachusetts has given that colony an altogether undue prominence. Moreover, the Calvinistic faith practically obliged the Puritans to adopt a policy of compulsion, and in this they were, if no better than all other sects except Quakers, at least no worse, and they were honestly conscientious. The consciences of the Puritans, observes Mr. Channing, should be given some consideration as well as those of their victims. It certainly cannot be ideally fair history which leaves as the last word an unsympathetic narrative and a moral condemnation.

When we turn from the matter of these new histories to consider the manner in which facts are treated, we find a striking contrast to older general works. The two centuries ending with 1660 were the age of romance in American history, the years over which older writers lingered fondly. Adventure in all its forms shed its magic over them. Everywhere men of diverse nations and characters, from motives material or ideal, good or bad, rushed into the unknown; fighting, struggling, dying, showing fiendlike or saintly heroism. From the misty figures of the Norse-

men to the mailed Spaniards, the reckless English, the devoted Puritans, the daring French traders and Jesuits, an unending succession of dramatic, bloody incidents and stories comes to us. Over and around all brooded the darkness and mystery of the primitive forest which stubbornly withstood intrusion, and baffled uncounted hundreds of invaders; while in the path of every adventurer rose the painted, doubtful faces of the puzzled Indians, whose first fickle friendship always changed to a bitter hostility, making the life of Spaniard, Frenchman, or Englishman a constant struggle with an invisible, merciless enemy. To the elder writers — Bancroft, Fiske, Parkman — it was an age of great heroic figures looming large, men like Columbus, Magellan, Cartier, Champlain, Hudson. Stout hearts and devoted lives founded colonies — such as Smith and Dale, Bradford and Standish, Winthrop and Endicott, whose pride of ancestry exalted to more than human proportions and virtues.

Now all is changed. In these new works the brilliant colors and stern romance of the early centuries have faded to a pale glow; not one of the writers except Mr. Chancellor follows the old-time methods or seeks the old-time ends; the drama and the pageantry have vanished. Each work is written in a careful, lucid style occasionally brightened with an adjective, but never enthusiastic, never eulogistic, never rising above the preoccupation of truthful statement. The anecdote is gone, there is no room for it; and its exact veracity is too open to question. Only where the author quotes from the narratives of explorer or settler do we feel a touch of the old-time magic. Almost never does any author frankly display anything resembling hero-worship, and as for the filial magnification of the colonial fathers, — Pilgrim or other, — that, too, is gone forever.

The illustrations indicate the same change. We no longer find imaginary pictures of the explorers floating on unknown rivers; we no longer are shown

the dramatic events, the sufferings and struggles of the settlers, the meetings of Europeans and Indians. Now only authentic images appear. Old portraits stare gravely at us, misshapen maps show us how the ill-informed and imaginative men of the sixteenth and seventeenth centuries guessed at the new regions; medals and relics and reproductions of early contemporary prints fill out the list. But one of the volumes, not avowedly popular in aim, that of Mr. Avery, admits imaginative drawings in the shape of effective symbolical chapter-headings.

What do we gain from the new histories to fill the void left by the stepping out of romance? In the first place we gain a sense of reasoned cause and effect, for each one of these works aims at making events logical and clear. We know why things happened. In seeking causes, writers go back of the personalities of the settlers to larger reasons. The connection of the life of Spanish, French, or English colonists with the life of the home country, and the influence of European international and domestic politics is clearly brought forward. Economic facts are dwelt upon with a new emphasis. We hear less of the doings of particular men and women, but we learn far more of how

the mass of colonists found their food and earned a living. Above all, the institutions of the settlers are analyzed with fullness and insight. Government finds the first place in such a volume as Tyler's or Andrews's of the *American Nation Series*, to almost the same extent as in Mr. Osgood's professedly institutional history.

It is dry, undeniably dry. History written in this way is more true than the older history, but its color is dull, and its mystery gone. Yet this cannot be the whole truth; for in the lives of explorers and settlers it is clear that economic and institutional facts wholly failed to destroy the sense of adventure. In the reaction toward actual truth and away from sentimental or partisan or filial history, the emphasis has come to be placed mainly upon the prosaic and material side of colonial growth; but the mental life of Spaniard, Puritan, Virginian, or Jesuit missionary, the thoughts and feelings of these people about themselves, their surroundings and their dangers, were no less real than the ways they tilled the soil or slaughtered the savages. They must in some future historian's pages be recreated, beside economic, legal, and political facts, to revive for us the true picture of the days of adventure and wonder.

KEATS : SHELLEY

TWO SONNETS

BY HENRY VAN DYKE

KEATS

THE melancholy gift Aurora gained
From heaven, that her lover should not see
The face of death, no goddess asked for thee,
My Keats! But when the crimson blood-drop stained
Thy pillow, thou didst read the fate ordained, —
Brief life, wild love, a glorious flight of poesy!
And then, — a shadow fell on Italy;
Thy star went down before its brightness waned.

Yet thou hast won the gift Tithonus missed:
Never to feel the pain of growing old,
Nor lose the blissful sight of beauty's truth,
But with the ardent lips that music kissed
To breathe thy song, and, ere thy heart grew cold,
Become the Poet of Immortal Youth.

SHELLEY

Knight-errant of the Never-ending Quest,
And Minstrel of the Unfulfilled Desire;
Forever tuning thy sweet earthly lyre
To some unearthly music, and possessed
With painful passionate longing to invest
The golden dream of Love's ethereal fire
In garments of terrestrial attire,
And fold perfection to thy throbbing breast!

What wonder, Shelley, if the restless wave
Should overwhelm thy life, the leaping flames consume
Thy mortal form on Viareggio's beach?
These were thine elements, thy fitting grave!
But still thy soul rides on with fiery plume;
Thy wild song rings in ocean's yearning speech.

THE CONTRIBUTORS' CLUB

MINOR ARTS

"You cannot save your hearts,
You will not save your souls,
Save your heels, Save your heels" —

is the cry of a vendor of brass heel-tips, I hear daily under my window. The first two statements are a long, reverberating, melancholy cadence; the injunction is brisk, energetic, and the suggestiveness of the phrase lingers with me after he turns into the street of *Tor de' Specchi*. Tower of Mirrors, — how magic are those street names of the older quarters of Rome! The Tower of Mirrors recalls the tradition of a tower lined with mirrors, where Virgil sat and watched in their reflections all the secrets of the city; and there is the Street of the Golden Keys, and of the Sword of Roland, and of the Marble Foot, and of the Fairy Morgana, — all summoning up a world of folk-lore. A black alley, called after bright Phœbus, emphasizes its own darkness; and a little by-way, called after Tata Giovanni, commemorates the pious cobbler whose heart was stirred to pity for the waifs of his neighborhood and gathered them into a school and taught them for love, and, in return, was called Daddy John by his little beneficiaries. All this, a hundred years ago, when the streets were unlighted and people emptied their slops out of the front windows.

In threading the narrow streets of old Rome, what strikes one most is the subdivision of trades and the sense of each artisan that his is an *art*. The very names of the streets emphasize the idea. This is the way of the shoe-makers, that of the slipper-makers, this of the chair-makers, that of the hamper-makers, or little basket-makers. In this tiny shop a handsome woman with white hair à la Pompadour, fits gloves and subtly flatters, — it is part of her art; in one place they

weave hose, in another nothing is made but baby-shoes. There are broderers in gold and broderers in white, broderers in silk and broderers in wool. This woman is a button-hole maker, that a hemmer. A tiny sign over yonder door says: "*Rammendatrice*" (darners), and in a little cubby-hole near by is the "*ovana*" (egg-woman) whose sole commodity is eggs of different degrees of freshness. Near by is a shop where nothing is offered but the wafer used in celebrating the mass.

Varnisher, gilder, carver, cabinet-maker, — the list might be indefinitely prolonged; and though I have lived all my life in Rome, I have not mastered the ramifications, nor do I know, when a job is to be done, which artist I need, — and artist he is when he comes. Art for art's sake is in the fibre of the Italian people. A carpenter summoned to drive a nail for a picture cannot stop at that. He squints his eye to see which is the best light, where it will look best in relation to other things; he must express his opinion. I went the other day to order a rush-bottom chair of uncommon shape. The man's shop was a fragment of a house pulled down to make way for the Victor Emmanuel monument. I gave him the measurements and my idea; his face lighted up; of course he understood, — would I allow him to make a design? He knelt on the ground, a dismantled chair for table, with a stump of pencil and a dirty piece of wrapping-paper. Three children swarmed up his legs and back, to see him do it. With a face rapt in the joy of conception, he drew just what I wanted, adding a few improvements in the antique manner, showing an interest in the work, apart from profit, which is one of the curious contradictions of the Italian character. When completed, a small boy and a baby brought home the

chair; the legs were not quite even, and I sent it back to be planed. When brought again I protested that it still rocked a hair's breadth; the child replied, "*Eh, signora mia*, where is the man absolutely without vice?"

His reply reminded me of a shoemaker who said to me when I was unduly insistent as to the wear of shoes I was ordering, "Yes, they are good; yes, they will last; but not forever. No stuff is eternal."

We Anglo Saxons think we have the monopoly of moral conviction; but sometimes an arrow comes to us from a Latin quiver. A man in a tiny twine shop did up a package for me to post, with much skill and patience, and I, thanking, protested, "But I have taken up so much of your time." He replied gravely, "What is it in comparison with eternity!"

With the spring scores of new trades leap into being: first, the vending of lemon, orange, and barley water from a stand which is a real nosegay of leaves and lemons. Who can forget the glowing, admirably disposed colors of a Venetian or Roman green grocer? I often recall the quaint market-place at Ferrara, where the booths were garlanded with blushing pomegranates wedded to their delicate green glossy leaves limned against a deep blue sky. A mournful wail of "Spider-hunter, spider-hunter" announces an old man laden with long canes, bunches of prickly butchers-broom for house-cleaning before Easter. Then comes the man who sells cherries "with and without a master," and he who carries "fruits of the sea," and the little donkey carts filled with flasks of "acid water" from a mineral spring near Rome, which is delivered at your door be it even on the fourth floor, for one cent, with a bright smile thrown in for *lagnappe*.

Those who have spent Christmas in Rome know how gay the Piazza Navona is made for Epiphany with booths of cheap toys. The main stock is of *presepi*—little sheds of cork-bark with miniature terra cotta figures representing the Nativity. A small shed with the Holy

Family costs from twenty to forty cents, and additional figures of shepherds, magi, peasants, and all kinds of domestic animals, can be had for one cent apiece. Pausing one day before a stall, I apologized for merely looking. The old vendor beamed on me kindly and said, "Look, look, Signora, how can people fall in love with my wares unless they do look."

He said he began immediately after Epiphany to make images for the next year; he devoted one month to pigs (very ungodly-looking black swine), one to magi, one to peasants spinning, one to cocks, and so on, reserving the last month, "when there was more inspiration," to making the Holy Family. The Holy Family consists of the Baby, Mary, Joseph, and two cows! The old fellow's pleasure and pride in his one-cent figurines had a flavor of the artist's joy in creation.

I ordered some straight shelves from a plain carpenter, to hold some bits of ancient pottery. The next morning he appeared with a drawing of a graceful curved outline for the frame instead of a straight one, suggesting that divisions be omitted as they spoiled the effect. The man's bow on arriving and leaving, his attitude while making suggestions, his deft way of picking up his kit of tools, might be envied by the leader of the cotillion, so full it was of grace and ease.

One day my sister and I found a friend in bed, and were moved to admiration by the beautiful inlaid bedstead. Where, how, could a like one be obtained?

And Valeria replied: "It was made by a man who is a real artist; he can copy or create any design. This he adapted from my antique chest of drawers. Do you see how exquisitely the pattern is made to lend itself to the curves and different spaces? No, he is not expensive. He restored the wood-work of the Borgia apartments. He is now making a carved altar for the Pope."

Everything, price and all, was satisfactory; we took the man's address and paid little heed to Valeria's parting words,

"But don't think you'll get that bed in a hurry."

We sent for the artist and had a long and charming conversation with him as to wood, design, period. He talked most agreeably of the Louis XVI bureau he was to follow in making the bedstead, — its epoch, the details which were complicated to reproduce, which brass finishings were antique. He used his pencil as readily as a good talker does his tongue, and showed a real feeling for and knowledge of art, which made us feel as if we had been to hear a famous lecturer on the subject. He promised to find the proper wood on the morrow and begin the bedstead immediately. We were delighted with him and the near prospect of the bedstead.

A week later we dropped in to see him; he had not begun the work, but would the next day. Two weeks later we wrote him a note, but had no reply. Some time after we left a message at his shop asking him to call. He did so in a few weeks and paid us another charming visit to copy the design on the bureau. He sipped a glass of wine, spoke with appreciation of a seventeenth century ceiling, and told of several interesting works of art (not ours!) he was engaged in. He gave a graphic description of a fine carved bedstead he had executed for the erratic Duke of Gallese. We were a little depressed by hearing that that bed had only been delivered in time for the duke's dead body to be laid out upon it. He added, however, with grim humor that the duke's daughter Donna Maria was very glad to get it, as it was a more tangible possession than her father's other bequest of Lake Albano!

Every few weeks, my brother, who has the Anglo Saxon's intolerance of fibs and the dallings of art, goes to see our bedstead-maker and tries threat and persuasion. He is met with gracious good-humor and promised the bed next week. My sister and I have given up going; we remember that Julius II was of an impatient, choleric disposition, but that he

never got his tomb finished; and though we *hope* to see that bedstead in the flesh, we are not sure we ever shall. And in the mean time we have procured another to sleep on.

In having old furniture restored, one is struck by the artisan's knowledge of and respect for the traditions of style and art. He makes subtle distinctions between what is beautiful in itself and what has the merit of a certain period or style. This inherent sense of fitness and proportion runs through all that Italians do. It makes them excellent raconteurs and actors, and cooks who vie with the French. It prevents their ever presenting such sickening scenes of public love-making as the parks afford in Germany, or committing such crimes of color and cut in dress as prevail amongst the lower classes in London.

Gabriele d'Annunzio's graces of style and his "purple patches" fired the fancy of Italians and made them tolerate his moral lacunæ. His standard of debt-paying is well known. A tailor to whom he owed a long score vowed he would *not* be done out of it like the others, and departed to extract the money or give D'Annunzio a sound beating. Some one met the tailor later and inquired the result. The reply was, —

"Ah, what a wonderful man, what a talker, what an artist! Would that I had five hundred francs to lend him."

I was asking my father's tailor, an excellent workman whose life is made thorny by the unpunctuality of the Roman *jeunesse dorée*, whether he had been able to collect a certain bad debt, and he answered, —

"Ah, no, *cara signora Maria*, but what a conversationalist, what language, what grace! If I had a private income, I would dress that man *gratis* for the pleasure of hearing him converse."

In a former paper for the *Atlantic Monthly* I tried to give some idea of a Calabrian hairdresser's sense of her trade as an art. I found the same in the Roman barber who shampoos my hair.

He was describing his wooing and wedding of a girl of Monte Rotondo.

"What should I take her for a nuptial gift? It must be something appropriate to my profession; she was marrying a poor man, but a barber, a perfumer. I decided it should be a bouquet which should compass her with odor, and perfume all Monte Rotondo. I took her a bouquet of orange blossoms which was two yards to span; it was only a nosegay, but neither Torlonia nor Colonna could surpass it. Monte Rotondo was odorous; no man needed to ask: who weds Nina Gigliucci? The very air informed him: A Barber, a Perfumer of Rome!"

THE WESTERN RAILROAD

MUCH has been said in the Club of late on the subject of the railroad. But always it has been the short-distance affair of sectional New England which has been under discussion. I wonder if I may add a word in praise of the Western Railroad.

I capitalize it purposely, for it seems to me quite a different thing from its eastern counterpart. As different as Achilles, say, from a park policeman. An eastern railroad is fussy, impatient, obnoxious in its neighborhood, a thing of noisy utility, to be employed, then shunned. Whereas the Western Railroad goes with an epic sweep and grandeur. The whole West is full of poetry, of course, of high romance and vigor; but no rugged peak ever stirs me more, no stretch of prairie land, than the gallant Railroad holding its way through the untamed wilderness. I stand on the back platform and watch the slender steel track unroll, so lonely a thread in that spreading realm of solitude and silence! On either hand, barren mile after mile, untouched if not all unexplored, northward as far as the thought can reach, southward far, far, far. And this narrow way through the heart of it the one bond of civilization, the one token of mankind. It becomes a daring, exultant song which the train sings under my feet as I think

of its desolate condition; a weird song too, with a minor strain which increases through the night. I lie in my berth and am borne head first, rushing, helpless, through the darkness. Is it a dragon which has me in charge? And whither will he transport me?

Take the magic letters, C. P. R. — what do they signify? Not merely a train of sleeping cars, but the wide Canadian wilderness, the splendid north shore of Superior, the Canadian Rockies, a continent of wonder and joy made visible to us. It is the whole thing, the C. P. R., so far as we are concerned. Even when we go camping, C. P. R. is stamped upon our outfit. And thankless would be the tourist's heart that felt no responsive love.

It was once my privilege to stay at Glacier for some days. Reasoning from an eastern point of view, I should have thought that to live in a hotel which opened directly from a railroad station platform, and whose dining-room was inundated four times a day by hungry, clamoring tourists, would be anything but pleasant. I soon found, however, that I preferred this lively centre of action to the more discreet and æsthetic retirement of Lake Louise. Nor were my reasons gregarious merely. I actually felt the mountains better — the vigor and exultation of them — for the coming of those toiling trains, puffing and laboring up to us, hard put to it, but dauntless. They were of one kinship with Mount Sir Donald, the stalwart and weather-riven. To think of the wellnigh insuperable difficulties which they had surmounted to come this way at all! The perilous precipice safely edged, the deep gorge bridged, the steep ascent climbed patiently, curve on curve. That a train should deliberately set itself to penetrate such a vastness as this, crawling high on the shoulders and crags, an intrepid inch-worm! The tears often actually stood in my eyes as I watched it come in, drawing out of its mighty solitude, bearing safely its precious burdens. And precious they were, of a truth, those

burdens, nothing less than the lives of us all. Our very existence hung upon the good faith of the train. All our food, all our clothes, all our furniture, all our letters and newspapers, every material need we had, must be supplied by the C. P. R., or we must suffer lack. Great benevolent god, it came to seem, patiently ministering.

If I laid myself down beside the track of an eastern railroad, I should not expect to sleep all night. But there at Glacier my rest was sound. A great red eye would glare in at me, stealing past my window, but the touch was friendly and comforting: "All is well. I'll watch. Go to sleep." Even the bells and the whistles and the heavy rumble of freight trains failed to annoy. As for the soot, it was not at all; the mountain winds tossed it away. I have never known a railroad to be such incarnate graciousness.

The privilege of the mighty it took, this western demi-god, to mind its own times and seasons. I think there was hardly a day of my stay when all four trains were not late. Lavishly late too,—four, five, eight hours,—on such a grand scale moves, or delays, the West. But, again, the irritation and wrath which would attend such hesitation in the particular, punctual East, was quite wanting here. People deplored, from time to time, the thwarting of their plans, but their philosophy was instant. I think we had all of us vague images, when a train was very late, of some grim encounter, beyond there, far in, among the mountain gorges,—some deadly set-to with savage forces of the wilderness, from which our train would emerge at last, fiercely spent but triumphant.

This eulogy may sound extravagant, but in truth I mean every word. I never return from a western trip (which same may the gods grant me often!) without feeling in my awakened heart, blown through with big refreshment, a strain of poetry which is just the song of the train which has borne me. Homeric poetry it is, too. We do well to listen.

THE BEECH TREE

I HAVE always felt a sense of satisfaction that the

"Wielder of the stateliest measure
ever moulded by the lips of man"

had so warm a place in his heart for the beech-tree. I do not forget that the American poet whom I most revere has said "True poetry springs not from rocks and trees;" but the words were uttered when his soul was on fire with a great movement for human freedom and was hardly capable of a full recognition of the claims of Nature. Who shall say that the poetic germ latent in the young Mantuan's heart did not receive its first awakening some bright summer day as he lay beneath that grove of old beeches with their storm-broken tops, so feelingly mentioned in the Eighth Eclogue, the cattle slaking their thirst at the reedy margin of the Mincius just below him, stray rays of sunlight from the soft Italian blue filtering down through the stirring leaves over his head and falling in dancing patches of gold upon the delicate green coverlet of his earthen couch, while the vague susurrus of the bees trembled upon his ears as now and then the fitful whiffs of Zephyrus passed away and allowed the leaves to cease their rustling, and in the distance the nibbling she-goats dotted those gently sloping hills at the rear, distending their udders with the juices of the cytusus towards the evening milking?

What other tree in all the woods can keep up its companionship with the recipient human heart through all the varying moods of the year in equal measure with the beech? As I look from my window now, a stately specimen across the road greets my eye with a harmonious blending of greens and golds and russets and rich dark browns, indescribable in the countless transition shades by which its leading colors are welded into a unified effect of restful and soul-satisfying beauty. The leaves of the two large walnut-trees which flank it on the right and left are already far on the road to a quick and un-

slightly decay. The November winds will catch the myriad leaves of my beech-trees and take them whirling over the crest of the hill, where they will find a resting-place in deep deposits in the edge of the college woods. Go there six months from now and stir them up, after the rains and snows of winter and spring have done their worst, and you will find hundreds of them still without a break, their glossy browns even yet a thing of joy and beauty. You can scarce tell when they pass back to their original dust. There is no time of the year when you cannot find them so, in any spot where large masses of them may huddle together for self-protection.

But what of the tree itself, when frost and rain and wind have at last denuded it of its graceful mantle? *What of it?* Stand where you have it in full outline against the gray of a December sky, and look at the delicate tracery of its countless twigs upon that otherwise unbroken screen of snow-cloud. What artist's hand could match that web of sinuous curves, dividing and subdividing as the eye passes upward and outward until it culminates in a lace-work of lithe and graceful beauty too intricate for human vision to analyze? Your oaks and maples and elms have nothing to match that. Let the clouds begin to drop their feathery burden now, and see that mass of bewitching tracery softened and blurred and blended with the slow, tremulous motion of the falling flakes, and you have still another effect that the beech alone can give. If conditions be right, the flakes will cling fast to those limbs, and the outer circle, where all are lithe and slender, will gradually be transformed into long rolls of fleecy white, like the rolls of clean white wool that used to come back to our mothers from the carding machine, in the days when the hum of the spinning-wheel was heard in the land.

The night comes, and while you sleep the clouds clear away. Let us suppose you have the dyspepsia, or an early train to catch, or a six months old baby, or anything else whatever that will get you out

of bed in time to watch the first rays of the sun at work among those snow-wreathed beech twigs. Who shall attempt to paint in mere words the colors that the crayons of Phœbus are spreading upon this royal canvas? Here is all the glitter of Aladdin's cave brought right to your window. With the gathering warmth of those piercing rays the snow begins gradually to let go its hold, and its soft muffled beating upon the deep white cushion below comes with the effect of some weird, irregular kind of music to the ear. Go back to your fire awhile and then look again. The smaller limbs are clean of snow now, but on the tip of each twig and at the point of every one of those long russet-jacketed buds which Nature has already provided for the coming spring hangs a tiny drop of water, sparkling like a diamond in the fresh sunlight,—a bewildering profusion of glory that no other tree but the beech can produce, simply because no other has the facilities for its proper distribution. We shall not linger over the equally wonderful effect when its limbs are robed with the hoar-frost, whether seen in the silvery glint of the moonlight, or under the full glow of the sun, or yet again through the vague curtain of a winter morning fog. Suffice it to say that no shift whatever of our varying and often intensely disagreeable winter weather will ever allow you to surprise the beech-tree in any dress or attitude out of keeping with its native grace, dignity, and beauty.

What can be more delicate than its fresh young leaves and blossoms, when the swelling buds have burst asunder and thrown off those broad, russet-brown scales, at the vitalizing touch of the spring sunshine and the mellow south-wind? We need not follow it through the spring and summer. Since long before the days of Gallus and Lycoris young men and maidens have been carving their love in its receptive bark to grow with its growth, and tired mortals have been stretching their limbs beneath its shade, catching little glimpses of blue sky, white cloud, or golden sunshine as the pliant branches

part and close with the breeze. Love other trees as you will. All have their virtues when taken at the proper season of the year, from the proper point of view, or when you yourself are in the proper mood. My claim for my Lady Beech is that her virtues rise above all vicissitudes of time and mood and point of view. Go to her for rest from labors done or inspiration for duties still before you, go to her for communion in joy or comfort in sorrow, go to her in summer or winter, in fair weather or in foul, and what tree of all the forest can contest her primacy in power to render that aid which the sensitive human heart looks to outward nature to supply?

SEEDLESS APPLES

AN altogether new species of apple, it is announced, has been developed by horticultural skill. It differs from the apple which tempted Adam and comforted Solomon in all his glory, in not having blossoms, core, or seeds. Because of these shortcomings it claims "superior commercial advantages" and seeks to supplant the time-honored species of our fathers and forefathers.

The acceptance of this coreless apple by the public is a matter of the most serious import. It touches the springs of human action; it changes the face and laws of nature. Indeed, the apple presented us by the serpent seems hardly more grave in its effects. The greedy youngster who originated the classic retort, "There ain't goin' to be no core to this apple," prophesied better than he knew. This apple of solid substance is capable of becoming a powerful force in the ethical development of childhood, relieving its conscience from the strain of generosity and from evolving questionable expedients for the retention of the delectable morsel. But we who have outlived the age when the heart swells with pride at the royal liberality exhibited in the bestowal of an apple-core upon a mate, — shall we gain or lose by taking this parvenu, this

heartless apple, into our affections and our stomachs?

From a gastronomic point of view the core has duties to perform. A friendly gendarme reaching from pole to pole of the toothsome sphere, it admonishes us with a "thus far and no farther." We seem to see annoying consequences following the removal of this sentinel. Shall we know where to stop? Must we, perforce, keep right on munching through to the other side?

Contemplate this too, too solid apple baked! Fled is the delicate flavor imparted by the seedy core! No brown beauties peep at us from papery apartments! Baked or unbaked, we delight in apple-seeds, the glittering white hid under the polished brown coat.

Yet much as we admire cores and seeds we could forgive the new apple its flagrant digressions from ancestral habits did it not fly flauntingly into the face of nature, subvert knowledge, and leave us botanically speaking without a foot to stand on. With infinite patience and perseverance it was drilled into our young mind that the vegetable kingdom may wax luxuriant, having roots, stem, and leaves for its purveyors; but these might not ensure its perpetuation. On the flowers was this all-important duty laid. A graphic picture of the earth's nakedness without this beneficent provision was placed before our mental vision, and the utter desolation of a dead world impressed upon us.

Since those irresponsible days, Linnæus, Gray, Wood, and others have strengthened our faith. Our own limited experience in observing the feverish haste of our doorway weeds to perfect seeds has added conviction to faith. The plantain ruthlessly beheaded by the lawn-mower leaves off adorning itself with succulent greenery and bends every energy to the formation of a short spike in the fervent hope of ripening a few seeds before the next onslaught of the destroyer.

That it can produce fruit without blossoms is the proud boast of this abnormal

species. Should it obtain favor, the exquisite beauty of our spring landscape shall be swept away. The clouds of pink and white blossoms, whose simple grace and delicate perfume restore for a time the lost Eden, shall be seen no more.

Since our greed for substance has become so great that we are intolerant of the space occupied by an apple-core, will not the march of progress also sweep away the stones and pits of other members of the family Rosaceæ? Faithful Dick Red Cap, you who have for centuries stood at the garden gap, the stone in your throat is demanded! Out with it and off with your snowy robes in May! Ye pink-petaled peach-blossoms, blush the deeper at the despoiling of the apple-tree, and hold your pit in a firmer embrace lest a like fate overtake you!

We cannot conceive of an apple-tree without blossoms. They are interwoven with the life of man. Literature, art, and heart pay tribute of love to the fragrant pink-tinted petals. Shall a "group of three or four green leaves" supplant these magic wands of memory in our affections and feed our sense of the beautiful? A poet of the crude old times tells us what we plant with the apple-tree, and the chief of these things are — a flood of fragrance, a world of blossoms, a cloud of beauty —

Flowers for the sick girl's silent room
For the glad infant sprigs of bloom.

Can commercial advantages outweigh such forces?

When the wily tempter presented this

apple for our consideration, he left us in the condition of the man who went down to Jericho, and naught could restore our serenity save a hand-to-hand contact with a collection of apples it had pleased us to make in the early winter, ranging in size from the native wild apple to the twenty-ounce pippin; appealing to the eye in varied shades of red, yellow, and green, and to the olfactory nerves like a breath from paradise. Here were apples round, flat, and pointed; apples with waxy skins and apples with dry skins; apples thick-skinned and thin-skinned, coarse-grained and fine-grained; apples ranging in color of substance from snowy white to yellow; sweet and sour, good, excellent, and indifferent; apples with lowly names, as Greasy Pippin, and apples of aspiring title, as King of Tompkins, Bismarck, and Golden. Fall apples and winter apples; baking, cooking, eating and keeping apples, each labeled with its name and claim to public favor, smiled upon us.

Lovingly we gazed upon them, for we knew that under each shining exterior was a core which held in warm embrace the germs of flower-bearing, law-abiding apple-trees, beloved of birds, bees, and man.

The new apple may have its virtues. We would not deny them. But as for us, comfort us with apples that were breathed upon by fragrant blossoms. O Pomona, goddess perennially kind, continue, we beseech thee, graciously to guard apple-bloomin' and apple-corin' as well as apple-gatherin' time!

